The Introduction and Operation of the New Poor Law in Suffolk 1834-70

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Abstract

This thesis examines the introduction of the Poor Law Amendment Act of 1834 into Suffolk between the years 1834-71. It looks at the poor law system as it was immediately prior to this time and the increasing difficulties it faced in the late eighteenth and early nineteenth centuries. It also examines contemporary ideas on population growth, such as those popularised by Malthus, as well as those of Utilitarians and Noetics, all coalescing to bring about the change of 1834. It compares the situation in Suffolk with that in the rest of the country, looking specifically at the Houses of Industry and their adaptability to the new system and the particular impetus given by Dr. James Kay as Assistant Poor Law Commissioner in the county of Suffolk to achieving their conversion to Union workhouses. It examines the power structures surrounding the New Poor Law, particularly the relationship between the local Boards of Guardians and the central Poor Law Commission (and later Board.) It also looks at the power structures within the workhouse. In the early days of the workhouse, relations proved particularly volatile, as few real structures of policy had been included in either the Poor Law Commission's report or the eventual act. The work goes on to examine how such issues as discipline, medical treatment and education therefore actually worked out in practice.

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Chapter 1

Introduction

The idea for this study was first born in 1992. At this time, I was Head of History at Orwell High School in Felixstowe teaching an A level course known as AEB 673. The syllabus consisted of an outline study and a methodology paper, in addition to a personal study of three thousand words, using both primary and secondary sources. Suffolk was enlightened enough to make provision for these A level students in its record offices at Ipswich and Bury St. Edmunds and through employing an extremely knowledgeable local historian, Clive Payne, to further facilitate the work of the students. It was through the weekly half day trips to the Ipswich Record Office with my students, that I became aware of the wealth of largely untouched material on Suffolk workhouses, which some of them made use of. I hoped, at some time in the future, to make fuller use of this wealth of material. This time has now come!

The need for local studies to refine our view of national practice in relation to the New Poor Law has long been acknowledged and during the 1960s and 70s a large number were undertaken as student theses. [1] Only by such studies, are we able to gain a nuanced understanding of the ways in which the New Poor Law was interpreted,

[1] D. Marshall, 'Revisions in Economic History': The Old Poor Law, *Economic History Review,* First series VIII 1937/8 cited in Alan Kidd, *Economic History Review,* Second series XL 3 1987. The Webbs also recognised the need for such studies to supplement their own monumental work.
A comprehensive list of student theses exists in Derek Fraser, *The New Poor Law in the Nineteenth Century* (London, 1976), p.203-4.

confirming or denying generalisations. As Steven King has pointed out, such studies have shown that 'those who sojourned (in?) the workhouse did not always find it crushing and isolating' as scandals such as that at Andover might lead us to believe.[2] Indeed, attesting to the work of Karen Rothery, Richard Talbot, Peter Jones and others, King goes on to state that the 'most striking feature of the New Poor Law from 1834 …… was the variability of practice.' Only by numerous local studies can that variability be discovered.

In terms of modern studies, historians such as David Green have shown the importance of examining the local situation in terms of experience and agency of the poor.[3] In addition Steven King also argues that there are important aspects such as that of personality of guardians and other personnel, which can best be reached by local studies. Concerns such as these have probably led to the large number of post graduate studies, though I also suspect that as in my own case, manageability and readiness of access to sources also proved attractive.

A number of other factors can be used to make a strong case for a study of Suffolk. Much has been made of the opposition to the New Poor Law in the north of England and it seems important to highlight that in the east too.[4] The county is also unusual in having a large number of incorporated Unions which as will be shown in this study had

[2] Steven King, 'The New Poor Law. Regional and Local Perspectives. Thinking and Rethinking the New Poor Law.' *Local Population Studies* 99 (2017).
[3] David Green, *Pauper Capital (*Farnham, 2010).
[4] Felix Driver in *Power and Pauperism* examines opposition in Yorkshire and Lancashire with particular reference to Huddersfield whilst the works of Nicholas Edsall, *The Anti-Poor Law Movement 1834-44* (Manchester, 1971) and John Knott, *Popular Opposition to the* 1834 *Poor Law* (London, 1986) are wholly devoted to looking at reaction to the New Poor Law throughout the country.

a considerable impact on the structure and nature of the new Unions.[5] Suffolk, in its presence and influence of Dr. Kay as Assistant Poor Law Commissioner also fulfils Steven King's view of the 'importance of personality' as being most accessible through local studies.[6] Overwhelmingly however, the case exists for a study of Suffolk in that, although some references are made to Suffolk in existing literature, no comprehensive study of New Poor Law practice exists for the county.[7] This study now aims to fill these gaps.

Though it relies to a large extent on local primary sources, it is no antiquarian study but one which sets Suffolk at the heart of the national situation, by first examining both the national and local context which gave rise to the Poor Law Amendment Act of 1834.[8] It goes on to look at the conflict between central and local government brought about by the shift in control of pauperism which this act theoretically entailed. This is indeed a central feature of the study, pervading as it does all aspects of lives of the paupers. The study then goes on to look at key aspects of life in the workhouse shown here through examination of such issues as, power and authority, discipline in the workhouse, education and medical services. It also aims to take up a more recent concern of historians, in looking at how inmates of the workhouses negotiated and

[5] J.M. Shaw, *The development of the Poor Law local acts1696-1833, with particular reference to the Incorporated Hundreds of East Anglia. (*UEA 1989). Unpublished PhD thesis.
[6] King, *Local PopulationStudies* 99 (2017).
[7] Mainly Anne Digby, *Pauper Palaces*: *The Economy of the Poor Law in Nineteenth Century Norfolk* (London, 1978) but also Anthony Brundage, *The Making of the New Poor Law* 1832-1839 (New Brunswick, 1978) and Nicholas C.Edsall, *The Anti-Poor Law Movement* 1834-44, (Manchester, 1971) in reference to the riots in Suffolk. Peter Gurney, *Wanting and Having: Politics and Liberal Consumerism in England* 1830-70 (Manchester, 2014).
[8] For the arguments surrounding antiquarianism and local history see J.D. Marshall, *The Tyranny of the Discrete* (Aldershot, 1997).

influenced their own treatment.[9] Such issues have been chosen as being pre-eminently those which concerned the guardians as shown in their minute books, particularly in the terms of their financial cost. Any study based largely on the Guardians' minute books must therefore necessarily involve a study of them. Though larger scale works exist for both the study of medicine and education, and discipline and authority figure in virtually all studies of workhouses, this study gives the more nuanced approach particular to local studies.[10]

The year 1870 provides a natural ending to the period in terms of the constraints of length and time of a PhD study and by the fact that the Poor Law Government Board, a new controlling body of the New Poor Law, exercised much greater control from 1871. The issues examined are largely dictated by the primary materials available, mainly Board of Guardians' minute books, but also correspondence between Assistant Poor Law Commissioners, the Poor Law Commission (later Board) and Poor Law Unions held at the National Archives(M12 and M32). This is further supplemented by reference to local newspapers and parliamentary papers and reports as well as secondary literature on the issues of discipline in the workhouse, medical treatment and education, comparing and contrasting the situation in Suffolk, where possible, with that elsewhere.

[9] Notably, David Green, *Pauper Capital: London and the Poor Law* 1790-1870 (Farnham, 2010), Lynn Hollen Lees, *The Solidarities of Strangers* (Cambridge, 1998), Steven King and Alannah Tomkins (eds.), *The Poor In England* 1700-1850: *An Economy of Makeshifts* (Manchester, 2003), Tim Hitchcock, Peter King and Pamela Sharp (eds.), *Chronicling Poverty – The Voices and Strategy of the English Poor* 1640-1840 (Basingstoke, 1997).
Samantha A. Shave, *Pauper Policies* (Manchester, 2017).

[10] For medicine see M.W. Flinn, 'Medical Services under the New Poor Law', in Derek Fraser (ed.), *The New Poor Law in the Nineteenth Century* (London, 1976). Ruth Hodgkinson, *The Origins of the National Health Service* (London, 1967). Kim Price, *Medical Negligence in Victorian Britain* (London, 2015).

The use of guardians' minutes mainly for this study imposed its own approach, the minutiae of everyday life in the workhouse often (but not always) failing to reach the concerns of central authorities now to be found in collections MH12 and MH32 in the National Archives. In addition, when these sources were accessed, mainly in the form of Kay's correspondence with the Poor Law Commission, their virtual illegibility made them of only minor use. This inevitably gives a different, more local approach, to the work than that of historians such as Shave and Green who appear to approach their arguments through central issues first (M12 and M32) only then seeking support from local vestry minutes and guardian minutes.[11]

The Guardians minute books however, were not without their problems and limitations; firstly, not all guardian minute books have survived and those that have often had gaps in the required period of study – 1834-70.[12] In addition, there appeared to be no required format for the recording of material, the clerk merely jotting down issues, (or ignoring them) as he saw fit, making it difficult to compare practice from workhouse to workhouse. Nevertheless, there were enough Minute Books (10 in total), to provide sufficient information to form the basis of this study. These were used in an iterative process with secondary sources; the latter threw light on actual policies whilst guardian minutes demonstrated the variation in the interpretation of the Poor Law Amendment Act, producing a more nuanced approach.

[11] Samantha Shave, *Pauper Policies* , David Green, *Pauper Capital.*

[12] No records exist for the Unions of Hartismere and Hoxne and only partial ones for Milldenhall 1837-41 DC1/3/1 and Mutford and Lothingland 1859-62 3 4/AB1/1.

The study mainly concerns the group of people who became known as paupers. Although this term was originally (and has also since become) synonymous with the term poor, in 19th century England it came to have a very specific meaning. Historically, a pauper was a recipient of relief under the provisions of the Poor Law, or as they were critically viewed at the time, part of 'a feckless underclass who relied on public money for their support'.[13] Poverty, (the state of being poor) however, was defined as 'the state of everyone who must labour for subsistence'; it was not regarded as a problem, but seen as 'a fact of life for a considerable portion of the population.'[14] As the Poor Law Amendment Act stated 'eliminating poverty was (considered) neither necessary nor desirable'. [15] It was therefore anxious to make a distinction between paupers and the merely poor, considering the former, but not the latter, as its right and proper concern. The poor, they regarded as the concern of philanthropy. Thus, Fraser comments that the 'New Poor Law sought to reverse the trend which had carried poor relief from its legitimate empire of pauperism into the sacrosanct territory of poverty'.[16] Even so, the boundary lines between the two perceived groups were indistinct and poverty might easily become pauperism. However, only a very small proportion of paupers ever entered the workhouse and most continued to receive outdoor relief even after the Poor Law Amendment Act, (whose aim it had been to prohibit the payment of outdoor relief to able-bodied males). Others might only spend a short time in the workhouse. A study therefore of

[13] Peter Wood, *Poverty and the Workhouse in Victorian Britain* (Stroud, 1991), p.2.
[14] Patrick Colquhoun, *A Treatise on Indigence* (1806) cited in Peter Wood *Poverty and the Workhouse* p.6.
[15] Lynn Hollen Lees, *The Solidarities of Strangers. The English Poor Laws and the People 1700-1948* (Cambridge,1998), p.14.
[16] Derek Fraser(ed.), *The New Poor Law in the Nineteenth Century* (New York, 1976), p.1.

the lives of the inmates of the workhouse, must therefore place them in the wider context of poor relief.

Few secondary sources have focused on workhouses alone, or even just the treatment of paupers. Most have been concerned to put such a study within the wider context of the history of the poor laws. This was particularly true for the earliest studies such as that of George Nicholls and Sidney and Beatrice Webb.[17] Nicholls himself was central to the development of the New Poor Law; he had been responsible for early reforms at Southwell which had much influenced the new law, became one of the three Poor Law Commissioners and then secretary to the Poor Law Board. The third and relevant volume of that study (i.e. post 1834 era) however, was written by Thomas Mackay, a supporter of Nicholls, with a stated aim to 'amply vindicate the policy of the Act of 1834'. Such an approach adds little to the views behind the Act or the experience of the paupers themselves. Its main contribution at the time, was in providing what is largely a legislative and administrative narrative, 'no connected and scientific account (being available) to the general reader or professional student' up to that point.[18] Its main use as a reference point for factual information has now been superseded by the monumental works of Sidney and Beatrice Webb, though these too have their critics.

[17] George Nicholls, *A History of the English Poor Law* (London, 1898), 3rd volume covering period after 1834 by Thomas McKay.
Sidney and Beatrice Webb, *English Local Government: English Poor law History* (London, 1929) and *English Poor Law Policy* (London, 1910).
[18] Franklin H. Giddings. Book review in *Political Science Quarterly* Vol.18, No.1, March 1903.

By 1909, (near the end of the period on which they were writing) the Webbs had developed a strong standpoint on the Poor Law, as expressed in the Minority Report of the Royal Commission written in that year.[19] Thus, it could be claimed that they were not only writing history, but using it to influence the social policies of their times.[20] However, such concerns have little impact on the period under review here. The stated aims of the Webbs, was to set forth the changes made in the Poor Law policy of central authority, 'through a chronological analysis of the action of the Poor Law Commissioners, the Poor Law Board and the Local Government Board', and few studies (including this one) have failed to use the resulting works as a reference point. Their 'consummate skills' and 'highly acclaimed scholarship' have been widely recognised, in what for many, has become a definitive text.[21]

In spite of their huge scale however, the Webbs works fall short in two essential respects. Although the works had been planned over three decades and were based on an exhaustive study of a wide range of documents, on the Webbs own admission, this had failed to include the vast majority of local documents, such as Board of Guardian minute books. Thus, their works came to be regarded as incomplete, requiring a series of local studies as a refinement of the national picture. In addition,

[19] By this time they wanted nothing less than the abolition of the Poor Law.
[20] This argument is further developed by Alan Kidd, 'Historians or Polemicists?' *EHR* 2nd series XL3, 1987. Karel Williams, *From Pauperism to Poverty,* (London, 1981) is also critical of historians who he states failed to discuss how the Webbs went about writing history.
[21] Kidd, 'Historians or Polemicists?' *EHR 1987.*

there was little focus on the application of the New Poor Law in rural areas.[22] As a local study in the rural area of Suffolk, this study aims to partially plug these gaps.

The Webbs maintained that the 1834 Poor law Amendment Act was based on Benthamite principles, a key feature of which was centralisation, as expressed in his *Constitutional Code.* Such ideas were considered to have been transmitted through Edwin Chadwick, erstwhile secretary to Bentham and a major architect of the New Poor Law. The issue of Benthamite influence on the Act has since become a matter of debate.[23] The major debate however, has not been Bentham's contribution to this policy, but whether such centralisation constituted a revolution in government as the Webbs believed. A number of historians have promoted this view and also gone on to develop the theory, that such a revolution constituted the beginnings of the welfare state of the twentieth century. By the 1960s this had become orthodox thinking, and is perhaps best expressed by David Roberts in *Victorian Origins of the British Welfare State.*[24] Roberts takes 1832 as a starting point for the serious assumption of responsibility by central government for the welfare of individuals, the reform of the Poor Law, being seen as just one act in this development. (Others include reforms in factories, prisons, health and education.) As the title suggests, Roberts took a decidedly Whiggish approach, seeing in the Poor Law and other reforms of the 1830s

[22] Kidd in 'Historians or Polemicists?' repeats the arguments first made by D. Marshall, in 'Revisions in Economic History: the Old Poor Law', *Economic History Review* 1st Series V111 1937/8, p.38-47.
[23] J.R. Poynter, *Society and Pauperism* (London, 1969) has been one of the few historians to examine the intellectual ideas behind the development of the New Poor Law.
[24] David Roberts in *Victorian Origins of the Welfare State* (Yale, 1960) sees the works of Karl Polanyi in '*The Great Transformation'* 1944 and J. Bartlett Brebner in 'Laissez faire and state intervention' in *Journal of Economic History* Supplement 8, 1948 as instrumental in counteracting the view that the 1830's were the high-water mark of laissez faire capitalism.

as the first beginnings of the welfare state which is today a distinguishing feature of the British Government.

In 1972, Anthony Brundage took issue with this view, sparking off a debate which was to last well into the 1990s.[25] Brundage rejected the orthodox view that central supervision replaced local initiative, and national uniformity local diversity. Instead, he maintained that the New Poor Law system 'incorporated the many hierarchically constructed "deference communities" which therefore enhanced aggregate influence of local magnates whose influence was principally exercised within the community'. He claimed that the law had been created by and for the landed interest, implying therefore continuity rather than revolution in government. Using the example of Northamptonshire, he based his argument on the considerable influence local magnates had wielded in determining the shape of the New Poor Law Union boundaries created by the 1834 Act and constructed so as to enhance their local control. He also argued, that the role of the magistrates had not been weakened in the new system as claimed, but strengthened by allowing them to sit as *ex officio* members of the Board of Guardians, thus having a direct influence in the administration of the system. Furthermore, he believed that magnates were able to exercise control through their tenants, who were often Guardians in rural areas, and that plural voting in the election system of Guardians (based on the amount of land owned) also favoured them. He concluded that because magnates exercised a large degree of control over the system, it could not in fact be centrally controlled. Rather

[25] Anthony Brundage, 'The landed interest and the New Poor Law: a reappraisal of the revolution in government' *English Historical Review,* vol.87, Jan. 1972 p.27-48. This view is also reiterated in Anthony Brundage, *The English Poor Laws 1700-1930,* (Bassingstoke,2002).

than a 'revolution' in government occurring, he claimed that there was a considerable degree of continuity with the Old Poor Law system.

This departure from orthodoxy provoked a storm of debate, with Peter Dunkley being the first to join battle.[26] He was critical of Brundage's view that the New Poor Law system had been created by and for large landed proprietors and turned instead to examine the background and motivation of Chadwick and Senior, usually considered to be the true architects of the Poor Law Amendment Act. Whilst he went on to accept that there was a continuation of great magnate power, he believed that the New Act reduced rather than strengthened it, arguing that the controlling power they had exerted as J.P.s was now shared in their position as *ex officio* guardians, with other elected guardians. More persuasively, he attempted to undermine Brundage's argument by suggesting the evidence from the county of Northamptonshire, on which he had based it, was not applicable to other counties, since Northamptonshire was exceptional in having a large number of unusually active peers. In many other counties he claimed, the peerage played no significant part in the poor relief system. In arguing the case for greater central control, he also suggested that individual Union records indicate a degree of involvement by the Poor Law Commissioners that can't be ignored. Both points emphasise the need for further local studies, to provide a sounder basis for the development of such theories.

[26] Peter Dunkley, 'The landed interest and the New Poor Law: A critical note'. *English Historical Review,* 88 (1973), p.836-41.

Peter Mandler revived the debate in 1987, in an attempt to reconcile the positions of Brundage and Dunkley.[27] He saw the Poor Law Amendment Act both as a Utilitarian measure, as maintained by the Webbs and supported by Dunkley, but also as being created 'by and for landlords' as argued by Brundage. Mandler argued that the landed gentry had absorbed the ideas of Utilitarianism, which they took up enthusiastically to help create the new law. In doing so, he at least provided a possible explanation of why there was so little opposition to the new law. Whilst Brundage and Eastwood responded to Mandler's claims it seems clear that by this time the debate had run out of steam. [28] There was some discussion on the nature of paternalism, definitions of the gentry as a whole and some refinement of positions but basic arguments remained the same.

However, some of these ideas were picked up by later writers. Anne Digby, writing on the rural poor law, reflects Brundage's views in her comments on the influence of the gentry under the new system. She states that, the 1834 Act in permitting J.Ps to act as *ex officio* guardians in the counties, working side by side with other guardians, perpetuated the influence of the landed gentry.[29] Similarly, she also accepted Brundage's view that the power of the gentry was further extended through their tenants who often became members of the Boards of Guardians. She maintained that 'relief policy in the country frequently passed to the elected guardians' ensuring little

[27] Peter Mandler, 'The Making of the new Poor Law redivivus' *Past and Present* 117, 1987.
[28] Anthony Brundage and David Eastwood, ' The Making of the New Poor Law redivivus', *Past and Present,* 127 (May 1990),p.183-94.
[29] Anne Digby, 'The Rural Poor Law', in Derek Fraser (ed.) *The New Poor Law in the Nineteenth Century,* (New York, 1976), p.152. She does accept however that 'there is some disagreement among historians on whether the 1834 Act increased their power'.

change in the influence of gentry on policy. Like Brundage, she argued for continuity in terms of power of the gentry.

However, she was to part company with Brundage on certain issues following her study of the poor law in Norfolk, *Pauper Palaces.* As a result of his study of Northamptonshire, Brundage had maintained that a further example of increased power of the gentry was shown in the part they played in determining the boundaries of the new Unions set up under the 1834 Act. Dunkley had already questioned the application of this theory to all counties and Digby's findings in Norfolk provide further support for his scepticism. Whilst she accepted that peers and great landowners had a significant influence in determining Union boundaries in Northamptonshire, she supported Dunkley in suggesting that this county was atypical in having an unusually large number of peers. In Norfolk she stated, there were fewer magnates, and although the Assistant Commissioners (Parry and then Kay) 'took sufficient account of the interests of the landed gentry to get their support for the New Poor Law', they 'viewed this as being of only secondary importance'.[30] The prime factor in determining the boundaries of new unions in Norfolk she claimed, was the existing institutions under the Old Poor Law, namely the Unions known as Incorporations, and later those under Gilbert's Act.[31] Norfolk was slightly unusual, in that a third of its parishes was already part of such Unions and could only be dissolved, by the terms of the New Poor Law, if two thirds of their guardians or directors voted for this. Since many of the Incorporated Unions also already had large Houses of Industry (workhouses,) their

[30] Digby, 'The Rural Poor Law' p.150.
[31] For a fuller discussion of Incorporations see chapter 3.

boundaries often remained the same under the new system, as well as influencing the boundaries of other Unions immediately around them. Suffolk had an even greater preponderance of already Incorporated Unions, and here too, I argue in chapter three, they had the greatest influence in the creation of new Union boundaries.

A further significant contribution to this debate was made by Philip Harling in 1992.[32] Whilst Harling rejected the Webb's view of a revolution in government, he also only grudgingly accepts the view of continuity. He followed instead a view that tight control from the centre had to be abandoned for what was possible, thus rejecting the idea of administrative revolution. Nevertheless, he argued that central government through the influence of the Assistant Poor Law Commissioners made sufficient inroads into the powers of local government to establish some of the central control that the writers of the New Poor Law had envisaged. He supports his view convincingly by examining the role of the Assistant Poor Law Commissioners who asserted central power in gaining, (or not) the support of the guardians in appointments made of workhouse personnel such as masters, relieving officers, clerks and auditors. Though they achieved some success in these matters, he argues that all too often they had to give way to local sensibilities. The views of the local body prevailed as it had done pre-1834, thus arguing for some continuity. Nevertheless, he concludes that 'the power of local authorities would never again go entirely unquestioned.'[33]

[32] Philip Harling, ' The Power of Persuasion: Central Authority, Local Bureaucracy and the New Poor Law' *The English Historical Review* 422, (Jan, 1992).
[33] Philip Harling, 'Local Bureaucracy and the New Poor Law', *English Historical Review* , 422 (Jan. 1992) p.53.

Economic issues have also figured highly in Poor Law historiography. Anne Digby's work was part of a series of 'Studies in Economic History', and as such placed the study of Norfolk in its economic and social context. Much of her work is therefore taken up with explaining how such factors shaped the development of the New Poor Law in Norfolk. Given the centrality of the issue of economics to the reform of the Poor Law, it is hardly surprising that this has been the focus of a number of other historians. The demands for reform of the Poor Law were largely born out of the requirements for a cheaper system. The Allowance System (by which workers' wages were made up to subsistence level), was widely seen by Malthus and his supporters as responsible for depressing wages, demoralising workers and escalating poor rates and this view was perpetuated by the Royal Commission report of 1834. Mark Blaug was the first to challenge the economic assumptions which lay behind this report. [34] He rejected these views, providing evidence to show how they were flawed. His findings have now become widely accepted.

Michael Rose writing a decade later, attempted to take a wider look at the economic aspects of poverty, placing it in a time-scale of eighty years, from 1834-1914.[35] He provided useful alternatives to contemporary thinking on the causes of poverty, seeing economic factors such as low wages, irregular employment, large families, sickness and old age, rather than intemperance or idleness as the root causes of poverty, all factors which would now be accepted by mainstream historians. For the purposes of this study however, the work has some weaknesses in that Rose often fails to make

[34] Mark Blaug, 'The myth of the Old Poor Law and the making of the New', *Journal of Economic History* 23 (1963) 151-184 and 'Poor Law report re-examined', *Journal of Economic History* 24 (1964)
[35] Michael Rose, *The Relief of Poverty* 1834-1914 (London, 1972).

clear whether he is referring to paupers or the poor, in spite of his early distinction between the two. In addition, the main focus of the work is on the later nineteenth and early twentieth century, therefore of less relevance to this study. Its small scale, (53 pages) also inevitably limits depth.

In contrast, George Boyer has carried out a more through-going economic study of the English Poor Laws between 1750 and 1850.[36] Like other revisionists such as Blaug, Baugh and Digby, Boyer rejected the idea that the Old Poor Law system of supplementing wages had disastrous long-term consequences for the agricultural labour market and provided disincentives to work. He was also part of the school of thought that saw continuity of practices after 1834 in the provision of outdoor relief for the able-bodied, taking up the ideas of Blaug and Digby to explain its persistence and regional nature. Having also exploded the myth that outdoor relief had a negative effect on farmers' profits or labourers' living standards, Boyer felt that the impact of the Poor Law Amendment Act needed re-assessment. As befits an economic study, he focused on the decline in costs following the New Act, before shifting to a consideration of the possible reasons for refusal to enter the workhouse, which he considered to be the continued receipt of outdoor relief under the guise of sickness relief (either by the individual or authorities) and the offer of year- long contracts by farmers. In addition, like Digby, he was keen to set changes and processes within a local setting, pointing out significant differences in methods of relief in the north and west and south and east.

[36] George Boyer, *Economic History of the English Poor Law* (Cambridge, 1990).

Larry Patriquin has recently taken an even more wide ranging economic approach, with a study covering the period 1500 to 1860 in England. In addition he also offers a comparison to other systems in Western Europe.[37] The starting point in his study was based on the belief that the Poor Law was 'part of a crisis in the agricultural sector of English capitalism which had come to a head in the first few decades of the nineteenth century'. In order to explain this, he felt the need to go back two hundred and fifty years to explain the context of developing capitalist social relations. He thus looked at poor relief from the standpoint of developing capitalism in what is essentially a Marxist interpretation. From here, he moved on to a related issue, indicated by his sub-title '*Rethinking the Origins of the Welfare State'*. Having created a new socio-economic framework of capitalism for the study of the Poor Law, old orthodoxies no longer held good. In marked contrast to the views of earlier historians, he maintained that 'poor relief was not something qualitatively different from the welfare state. English poor relief *was* a welfare state'. He felt it necessary therefore, to redraw the divisions in welfare state development, in line with the development of capitalism. Thus, for England, he sees the development of a welfare state occurring between 1540-1760, as a result of 'developing capitalist social relations under the guise of a highly centralised state'.[38] Other countries he claimed, developed their welfare states later, in line with their later development of capitalism.

Although my study is primarily an administrative and social study, economic issues are clearly too central to be ignored. Whilst an engagement in the arguments of emerging

[37] Larry Patriquin, *Agrarian Capitalism and Poor Relief in England,* 1500-1860 (Basingstoke, 2007).
[38] *Ibid*. p.202.

capitalism as the basis of poor law development are beyond the scope of this work, other economic issues are more germane. The high spending and escalation of poor rates that had ushered in the New Poor Law with its aim to reduce outdoor relief, clearly had an impact on the lives of paupers both within and outside the workhouse and will be reviewed in this light. The issues dealt with by Boyer, Blaug and others are however less important to this study, in that it focuses on the lives of paupers within their own context. Thus though the study does not eschew quantitative information entirely - for instance it quantifies the number of years in which teachers stayed in particular workhouses to support the notion of poor education – it mainly follows a qualitative approach as befits my interests and the nature of the material within the guardians' minute books. Such an approach focuses on the more human aspects of the narrative in a way which more quantitative analyses are unable to do.

Of more immediate focus are the studies of workhouses themselves. Their rarity gives them increased value and none more so than that of Margaret Crowther.[39] Crowther was careful to present a balanced view of the workhouse as an institution within its own context, aiming to fulfil a variety of irreconcilable purposes. In doing so she provides a balance to the images of workhouses created by such people as Dickens in *Oliver Twist.* She provides a particularly good analysis of personnel and their roles within the workhouse, not to be found elsewhere, and shows an understanding of how, the way in which they carried out their roles, affected the everyday lives of the inmates. On the inmates themselves, she has less to say, acknowledging the difficulty

[39] M.A. Crowther, *The Workhouse System* 1834-1929. *The history of an English social institution.* (London, 1981).

of assessing their authentic voice. Though she does examine the testimony of paupers themselves, in cases brought before magistrates' courts, she fails to regard them in the same light as later historians, such as David Green, as evidence of pauper attempts to act as agents in their own treatment.[40] Nevertheless, with its focus on the institution of the workhouse itself, its administration and day to day concerns in dealing with a wide range of issues, such as care of the sick and provision of work, food and education for children, Crowther's work provides an invaluable reference point for the purpose of this study.

Peter Wood, writing on the workhouse ten years later looks at the issues from a more administrative angle, and examines a wider time range than Crowther.[41] He himself does not make any claim to original research, but rather states that he is aiming to create a synthesis 'of what appears to be emerging as the current orthodoxy'.[42] Thus he records the differences between those who saw the New Poor Law as a developmental stage in the welfare state and those who did not, as well as problems associated with the 'revolution' in relationship between local and central government. He sees the role of the workhouse and its corollary of outdoor relief as central to this and concludes that principles were often at variance with practice. Such views provide an important framework for any local study of the workhouse, and are discussed at length throughout this study.

[40] David Green, *Pauper Capital: London and the Poor Law* 1790-1870 (Farnham, 2010).
[41] Peter Wood, *Poverty and the workhouse in Victorian Britain* (Stroud, 1991).
[42] *Ibid.* p.3.

Other writers have gone on to consider different aspects of workhouses. Digby, Driver and Green have all emphasised the nature of workhouse construction in having both a symbolic and functional importance.[43] A standard structure was created for central government by the architect Sampson (or Samuel) Kempthorne, and although not all areas followed it, most produced a close variation. The design was based on the panopticon principle with a central section able to provide a supervisory role over the radiating wings, which were to house the segregated groups determined by the New Poor Law. Its overall aspect was forbidding, fulfilling the requirement of deterrence, and it was often built in the very edges of town. In spite of regional variations stressed by these writers, the principles involved seem to hold good for all areas.

As well as focusing on the construction of the workhouse however, these writers also concerned themselves with their policies and practices. Anne Digby considers the social aspects of workhouse history through the consideration of the lives of different groups within the workhouse, whilst Driver and Green focus on two specific groups; children and the insane, largely because it was here that requirements for different treatment eventually led to the development of separate institutions. Other monographic studies have also thrown light on these areas, notably Francis Duke's work on pauper education and M.W. Flinn's work on the medical services under the

[43] Digby, *Pauper Palaces,* Felix Driver, *Power and Pauperism: The workhouse system 1834-1884* (Cambridge, 1993), David Green, *Pauper Capital.*

New Poor Law.[44] Such studies are invaluable as a starting point for any local study of workhouse policy and practice.

The turn of the century brought new concerns to Poor Law literature. The Whiggish views of earlier historians, who saw the New Poor Law as a developmental stage in the movement towards a Welfare State, were now rejected. Lynn Hollen Lees is foremost amongst those who have come to regard the history of the Poor Laws not as a story of continued progress and improvement, but one of changing attitudes towards poverty, an approach she follows not just from an English perspective, but also by drawing comparisons with European and North American systems.[45] Similar approaches have also been taken by Alan Kidd and Steven King though achieved by narrowing their area of study, ending in the nineteenth century.[46] Kidd's work puts the Poor Laws into a wider context of welfare, such as charity, self- help and mutual aid. He explains his focus on the nineteenth century as a deliberate attempt to avoid looking at provision for the poor as an inevitable move towards the growth of a welfare state. King takes a similar approach, preferring to look at the period (1700-1850) as a stand- alone period, thus avoiding the issue of a developing welfare state.

Even more evident in recent Poor Law thinking has been the emphasis on the role which paupers themselves played in the 'negotiation' of their treatment, both in and out of the workhouse. This approach appears to have originated with Marco Van Leeuwen, who suggested a model of strategic interaction that he claimed fitted a

[44] Francis Duke, 'Pauper Education' and M.W. Flinn, 'Medical Services under the New Poor Law' in Derek Fraser (ed.) *The Poor Law in the Nineteenth Century* (New York, 1976).
[45] Hollen Lees, *Solidarities of Strangers.*
[46] Alan Kidd, *State, Society and the Poor in nineteenth Century England* (Basingstoke, 1999). Steven King, *Poverty and Welfare in England 1700-1850. A Regional Perspective.* (Manchester, 2000).

number of European countries, in which 'both elites and the poor act in their own interests, agreeing together upon a particular relief package in exchange for the desired behaviour'.[47] Whilst such 'negotiations' were not always as formal as Van Leeuwen's theory seems to imply, historians have been eager to embrace the idea of the poor as agents of their own welfare.[48] Alan Kidd views the poor not just as recipients of poor relief but also of charity and mutual aid in which they clearly played more than just a passive role. Similarly Hollen Lees claimed that she was attempting to remedy neglect in this area of study by looking at welfare receivers and welfare bargaining at the local level, particularly with reference to gender.[49] Her work has perhaps gone the furthest in attempting to look at Poor Law history from a working class point of view. She claimed that attitudes towards poverty amongst the working class were very much different from those of the middle and upper classes, in that they rejected the idea that destitution was their own fault. This in turn influenced the position they took up towards poor relief. David Green goes on to develop this approach in his work *Pauper Capital.* As well as the more obvious ways in which paupers influenced their relief such as writing letters and signing petitions, Green also views other less obvious 'negotiating' procedures as relevant. He comments that 'at times they (the Paupers) threatened and fought with officers inside and outside the workhouse. They destroyed parish property, they lied and they stole. In short, they

[47] Marco Van Leeuwen, 'The Logic of Charity: Poor Relief in Preindustrial Europe', *Journal of Interdisciplinary History* 24:4 (1994): 589-613 cited in Hollen Lees, *The Solidarities of Strangers* p.5.
[48] Other historians taking this approach though largely with reference to the Old Poor Law are Tim Hitchcock, Peter King and Pamela Sharpe (eds.) *Chronicling Poverty – The Voices and Strategies of the English Poor 1640-1840,* (Houndmills, 1997) and Steven King and Alannah Tomkins (eds.) *The Poor in England 1700-1850, : An Economy of Makeshifts,* (Manchester, 2003).
[49] Hollen Lees, *The Solidarities of Strangers* p.9.

bargained for relief'.[50] Green goes on to examine a wide range of court cases to examine the issues that brought paupers to this point. What might in the past have been merely regarded as a negative response by paupers to their situation is now elevated into a more positive one where paupers exert control over their own situation. Such an approach widens the scope of a study of the workhouse from the point of view of its inmates, by giving greater accessibility to their voices.

Local studies have long been considered key to a fuller understanding of the Poor Laws. Whilst approaches and emphases on the Poor Law have changed over the years, the need for such studies has remained constant. Thus historians such as the Webbs and Steven King divided by almost a century, were nevertheless united in their agreement on the value of local studies, since only through such studies can the main lines of debate, outlined above, be clarified. Anne Digby's work on Norfolk, *Pauper Palaces,* was an early contribution in this field and she was keen to show how local systems and conditions affected the working of the New Poor Law at the local level. The removal of diverse systems under the Old Poor Law had been at the very heart of reform, but Digby was able to demonstrate that such diversity continued long after the 1834 Poor Law Amendment Act in Norfolk, in the large Houses of Industry (the so-called Pauper Palaces), the extended parish workhouses and the newly built ones. Thus, she showed that what was set out in the theory of the new act, was far from the reality at local level.

[50] Green, *Pauper Capital* p.157.

Further studies have confirmed this distinction, particularly in the north and west where there was considerable opposition, both formal and informal, to the New Poor Law. Felix Driver has shown in a study of Huddersfield and other towns on the Yorkshire/Lancashire border, that central directives had very little effect on poor law policy here also.[51] He explained how the newly planned provision of poor relief through a workhouse was wholly unsuited to the north, where employment patterns were markedly different from those in the south. The building of a central workhouse was therefore long resisted, and even when it came was partly as a result of factors other than directives from central government. Thus, Driver demonstrated the unevenness of centralised control, showing the gap between official intention and local outcome, just as Digby had.

David Green's work, *Pauper Capital* is also, in essence a local study providing the first detailed examination of the development of Poor Law systems in London.[52] Although the study of a vastly different area from either Digby or Driver, Green applies the same principles in examining how specific local factors determined the application of the Poor Laws. Thus, he examines the 'relationships between place and policy', i.e. 'how relief policies operated on the ground ……in the context of transformations in London's economic and social geography'.[53] He concludes that rapid population growth and turnover, the lack of personal knowledge between rich and poor and the close proximity of numerous autonomous Poor Law authorities all had a significant effect in shaping the Poor Law system in London.

[51] Felix Driver, Power *and Pauperism. The workhouse system 1834-1884* (Cambridge, 1993).
[52] Green, *Pauper Capital.* .
[53] *Ibid.* p.xiv.

The most recent work involving the study of a locality has been that of Samantha Shave, which has provided a valuable extension of our knowledge and understanding of the workings of the Poor Law in a distinct setting.[54] She explains the choice of her locality, avoiding the much studied south east of England, for the newer ground and more diverse socio-economic context of the south, including the counties of West Sussex, Hampshire, Dorset, Wiltshire and Somerset. The dates of Shave's work – 1780-1850 are an indication of her area of interest, providing some continuity, by analysis of issues normally neglected, between the Old Poor Law and the New, namely Gilbert's Act 1782 and Sturges Bourne's Act 1818 and 1819. Shave states her aims to be, examining 'negotiations between and within central and local welfare authorities, and between welfare providers and recipients', in order 'to expose the dynamism of pauper policies, how they emerged, were taken up, implemented and developed in the late eighteenth and early nineteenth centuries'. [55] She goes on to state the importance of setting these developments in a locality in order to examine her themes of interest. In doing so she uses a 'policy process' approach developed by social scientists, which she claims 'allows for an understanding of the dynamism of policy, as well as identification and examination of distinct parts of the policy process'.[56] It is within this context that she examines Gilbert's Act and the Sturges Bourne's Acts, the dissemination of an understanding of social issues between welfare officials, and the role of welfare scandals in policy making after 1834. As with most modern studies of Poor Law history, the experience of the welfare receiver is considered central.

[54] Samantha Shave, *Pauper Policies. Poor law Practice in England, 1780-1850.* (Manchester, 2017) .
[55] *Ibid.* p.6.
[56] *Ibid.* p.10.

Although the current author has not considered either Gilbert's Act or the Sturges Bourne's Acts to have been central to her study, nor has she used a 'policy process' approach, she has considered many of the issues examined by Shave such as the influence of locality on policy, as well as the dynamism of the policy as it was influenced both by the recipients of relief and other stakeholders such as the medical profession.

In addition to Shave's work a number of unpublished theses have also added to our knowledge of the variety of ways in which, a system that had intended to introduce uniformity, could be modified at a local level.[57] The current study follows in this tradition. As a county with many similarities to that of Norfolk , particularly the Incorporated Unions, it seems likely that factors which influenced the Introduction of the New Poor Law in Suffolk, might well reflect those immediately north of its borders. Anne Digby maintained that because the Incorporations largely anticipated many of the features of the New Poor Law , such as the appointment of salaried staff directed and supervised by committees of elected representatives, the 'revolution' in government which some historians believe to have occurred in 1834 with the Poor Law Amendment Act, had in fact occurred much earlier in Norfolk with the creation of the Incorporated Unions. This in turn, supports the view of Brundage and others that there was considerable continuity between the Old and New Poor Law systems. Since almost half of the parishes in Suffolk became part of Incorporated Unions in the eighteenth century, the same argument is obviously applicable here and will be used

[57] For a comprehensive list see Derek Fraser, *The New Poor Law in the Nineteenth Century,* p.203-4.

as a reference point when examining the transition from the Old to the New Poor Law in Suffolk.

The study will then go on to look at numerous aspects of life within the workhouse such as work, education of children and medical treatment available. It will draw on the work of historians such as Crowther, Duke and Flynn and compare their findings with those at the local level in Suffolk. Recent approaches however have suggested that the experience of paupers was not just that imposed upon them by a central organisation and local officials, but that they were able to influence their own treatment by a variety of methods. The more obvious methods, such as riots have already been well-documented by Edsall and Knott, but these riots need to be set in the full context of rural uprising from the Swing riots (a key factor in determining both the initial location and nature of Poor Law reform), back through the riots of 1822 and the so-called Bread and Blood riots of 1816.[58] Until 1990 the only major account of the Swing riots was that of Hobsbawm and Rudé, a self-avowedly 'comprehensive study of the disorders.' In 2010 however, reviewers such as Poole concluded that follow-up work was required which involved digging deeper into local archives.[59] John Archer had partially fulfilled this requirement by analysing the riots in East Anglia in 1990.[60] It was left to Carl Griffin however, to fill this gap. Although he accepted the ground-breaking work done by Archer, he stated that Hobsbawm and Rudé's work 'no longer

[58] Nicholas C. Edsall, *The Anti-Poor Law Movement* 1834-44 (Manchester, 1971). John Knott, *Popular Opposition to the 1834 Poor Law* (London, 1986).
[59] S. Poole, 'Forty Years of Rural History from below. Captain Swing and the Historians', *Southern History* 32 (2010) p.18.
[60] John Archer, *By a Flash and a Scare: incendiarism, animal maiming and poaching in East Anglia,* 1815-70. (Oxford, 1990).

stands archivally, analytically and conceptually', factors which he attempted to put right in his own work '.[61] However, I have tended to use Archer as being more focused on the Suffolk position, comparing it to the analysis of Griffin in the south of the country.

As well as organised rioting both in and outside the workhouse we need to understand the range of individual response, of less organised opposition. David Green has produced a convincing argument of how a wide range of approaches such as writing letters, sending petitions to the Poor Law Commission or simply misbehaving by lying and stealing might be considered as a means of negotiating treatment. These too may well be found to have relevance in Suffolk.

[61] Carl Griffin, *The Rural War. Captain Swing and the Problems of Protest.* (Manchester, 2012). p.6-12.

Chapter 2

The poor law in transition nationally

The Poor Law Amendment Act came into being on the 14th August 1834, largely based on the findings of a Royal Commission of 1832. Although this process had been fairly rapid once set in motion, the ideas behind it had been current for some considerable time and commanded widespread support; on its third reading the Bill passed with a huge majority of 319 votes for, to 20 against.[62] In order to provide a broader context for the discussion which follows in later chapters, this chapter aims to examine the factors which led to the act itself, the nature of the act, and the initial conflict between local and central government which its application involved.

The Context of Reform

The poor law system that existed before 1834 was primarily based on the Elizabethan Acts of 1598 and 1601.[63] The Acts had been an attempt to distinguish between the deserving and the undeserving poor namely the sick who were unable to work and 'the sturdy rogues' and 'idle vagabonds' who could work, but chose not to. The system was mainly administered by overseers, who were substantial householders, named by the local magistrates each year. These men carried out the distribution of the poor rate, raised by levying a tax on householders. The position was unpaid. Whether relief was

[62] Anthony Brundage, *The English Poor Laws* 1700-1930, p.67.

[63] The only major amendment since that time had been the Settlement Act of 1662 which had defined the place of settlement of an individual and therefore the parish chargeable for poor relief. Paul Slack, *The English Poor Law, 1531-1782* (Cambridge, 1995) p.16, Samantha Shave, *Pauper Policies,* p.4 point out other changes of note, such as Knatchbull's Act of 1723 which allowed, but did not enforce, the building of workhouses by several parishes grouped together. Other changes were the establishment of local Acts and Gilbert's Act of 1782 which led to larger Incorporated workhouses and the Sturges Bourne Acts of 1818-1819.

given or not was entirely due to the overseer, hence the lack of uniformity in what was considered an entirely local system. Although small workhouses did exist in most parishes, relief was given mainly outside the workhouses, and thus became known as outdoor relief. Ratepayers were naturally keen to keep the cost of relief down, and in several areas parishes were grouped together by local Incorporation Acts or Gilbert's Act of 1782, for the purposes of spreading poor relief over a wider area.[64] Though this probably made little difference to those in receipt of relief, the *Report of the Poor Law Commission* of 1834, in speaking of the poor law rates stated that 'in the incorporated districts …….. the (financial) burthen is comparatively light.'

Whilst the population of England remained comparatively low (c.4million in 1601) and the numbers who required relief stayed manageable, the system remained acceptable to the ratepayers. However by 1801, the population had more than doubled, rising to 9.5 million, and by 1851, almost doubled again to 18 million. Although in theory expansion of both agriculture and industry should have absorbed this increase in population, in practice this was not so. Several issues also added to surplus labour, one being that of Enclosure, the consolidation followed by the hedging and fencing of land, sometimes common land, for pastoral rather than arable farming.[65] As a result, many

[64] Incorporated Unions were created by local acts in the eighteenth century mainly in East Anglia in an attempt to spread the poor rate over a wider area. The Establishment of Gilbert Unions after 1782 also led to unionized parishes sharing some of the infrastructural costs of administering workhouses. Justices were empowered to order general rates to be levied on hundreds in order to meet expenditure in particular parishes, but these powers were seldom used. Cited in David Eastwood, *Governing Rural England*, p.134. Nevertheless, Brundage, *The English Poor Laws 1700-1930*,p. 21 tells us that on the eve of the 1834 Poor Law '924 parishes, almost all of them rural, had combined themselves into 67 Gilbert Act Unions.'

[65] There is some disagreement on the part of historians on the effects of enclosure on agricultural workers. The main lines of this argument are to be found in Arthur Young, *General Report on Enclosures 1808,* drawn up by order of the Board of Agriculture. Reprinted (New York, 1971)and, John and Barbara

small farmers, unable to afford the costs of enclosure, became landless labourers, and with fewer labourers required for pastoral farming, added to the surplus labour. Arthur Young in his travels through England commented on the severity of the problem stating that 'by nineteen Enclosure Acts out of twenty, the poor are injured, in some grossly injured.'[66] For many the only alternative would be to rely on the parish to supply poor relief.

Changes in the social organisation of workers were also beginning to add to surplus labour. Peter Dunkley states that the living-in system, whereby a farmer provided accommodation and food for his workers was gradually falling into disuse due to the surplus of labour and the rising cost of food. It became uneconomic for farmers to provide food and housing, and they used instead the practice of casual hiring, making employment an even more precarious process. As Dunkley states, 'traditional safeguards against deprivation were breaking down, at the very moment the labourers

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Hammond, *The Village Labourer* 1760-1832 (London,1913), all of whom believed that agricultural workers were basically harmed by enclosure because they were unable to afford the costs involved and forced to sell their cow, thus being thrown on the parish. J. D. Chambers, 'Enclosure and Labour Supply in the Industrial Revolution', *Economic History Review* 1953 2/ 5: pp. 319-43. however, argues that loss of common rights was more than compensated for by the extra work involved in hedging and ditching initially and regularity of employment in the long-run. With the publication of K.D.M. Snell, 'Agricultural Seasonal Unemployment, the Standard of Living and Women's Work in the South and East' *Economic History Review* 1690-1860, 1981 2/ 34: pp.407-37, the argument reverted to the considerable effect of enclosure, with seasonal fluctuation dominating in grain-producing areas. George Boyer, *An Economic History of the English Poor Law* 1750-1850, p.34-36 supports Snell by suggesting that the available wage and employment data do not support the hypothesis that enclosure significantly increased the long-run demand for agricultural labour.

[66] Arthur Young, *Inquiry into the Propriety of Applying Wastes to the Better Maintenance and Support of the Poor* (1801), cited in A.J. Peacock ,*Bread or Blood* (London , 1965) p.19.
G.E. Mingay, Arthur Young 1741-1820, 2004,
https://0-doi-org-serlib0.essex.ac.uk/10.1093/ref:odnb/30256. He gained a substantial reputation as an expert on agricultural improvement but is also known as a social and political observer. He became Secretary of the Board of Agriculture in 1793 but is perhaps best known for a series of journeys he took to different parts of England whose accounts appear from 1768-1770.

were being caught in a wage-price squeeze.' [67] John Archer also sees this development as having further consequences in the breakdown of the deferential relationship between farmers and labourers, though he accepts that it as much due to the young labourer's dislike of the system as it was that of the farmer seeking cheaper ways to work. [68] He goes on to argue that without a common bond between farmer and labourer, relationships declined rapidly and that they were therefore hired and fired at will. Though superficially, as Newby states, the workers retained their 'forelock-tugging' place, their practices of protest and crimes told another story, as we shall see later in this chapter.[69]

To compound the problem of unemployment still further, new machinery such as the threshing machine, which required many fewer labourers, was being developed, particularly in the pioneering counties of Norfolk and Suffolk. Their primacy in this area is confirmed by Hobsbawm and Rudé who stated that Ransomes of Ipswich was probably 'the only firm in the country which described itself primarily or exclusively as "agricultural implement manufacturers,"' suggesting that the use of such machinery would mainly affect workers here with unemployment. [70]

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[67] Peter Dunkley, *The Crisis of the Old Poor Law in England* 1795-1834 (New York, 1982), p.36.
[68] John Archer, *By a Flash and a Scare: Incendiarism, Animal Maiming, and Poaching in East Anglia 1815-1870*, p.30-31. He also states that the factors leading to this can be found in :- A. Kussmaul, *Servants in Husbandry in Early Modern England* (Cambridge, 1981).
[69] H. Newby, *The Deferential Worker* (London,1977), p.47.
[70] E.J. Hobsbawm and George Rudé, *Captain Swing* (London, 1969), p.83.
Ransome's moved to Ipswich in 1798 but its glory days came around the 1840's where it produced a full range of agricultural equipment such as the steam traction engine in 1842 and the steam ploughing engine in 1856 in collaboration with Fowler's of Leeds. David Dymond and Peter Northeast, *A History of Suffolk* (Chichester, 1985), p.97.

Similarly in the woollen industry the processes of spinning and weaving, a traditional means of supplementing a labourer's income, and often carried out by women, was also being subjected to mechanisation. The woollen industry had been particularly important in Suffolk, but now the centre of the industry was moving away. The decline was noted by the Duke of Grafton, the Lord Lieutenant of Suffolk, in a letter to the Home Secretary Lord Sidmouth in April 1816, when he wrote of dreadful suffering and riots in the Cosford Hundred, due to 'the total failure of the spinning of long wool, which used to afford employment to so many thousand persons in this county.'[71] This view was endorsed shortly after by magistrates, in Bury St. Edmunds, where a number of spinning jennies had been broken in May 1816 in protest against the resulting unemployment.[72] A similar story can be seen far earlier, by contrasting Defoe's comments in the 1720s with those of Young in 1788; Defoe had noted in his early travels that many of the smaller towns in East Anglia were 'employed, and in part maintained, by the spinning of wool.' By contrast, Young later noted that there had been a significant decline in the trade, with Suffolk spinners being paid considerably less than spinners in any other county.[73] Such developments again could only add to surplus labour, and the poverty endured by labourers.

From 1793 onwards, the problems of labourers brought about by increasing population and changes in agriculture and industry were played out against the backdrop of the Napoleonic Wars, which temporarily delayed their resolution. For

[71] HO/42/149, Grafton to Sidmouth 29 Apr. 1816 cited in A.J. Peacock, *Bread or Blood*, p.27.
[72] B.M. Ref. 1035 i 10 cited in Peacock, *Bread or Blood,* p.27.
[73] Arthur Young, 'On the Prices of Wool, and State of Spinning at Present in England.' *Annals of Agriculture* 9, p266-78, 349-64 cited in George Boyer, *An Economic History of the English Poor Laws* 1750-1850 p.39.

some, the answer to surplus labour was to join the armed forces, whilst others found employment back on the land with increased food production necessary to replace foreign imports.[74]

However, whilst the farmers benefitted, wages for labourers never quite kept pace with prices, and for many, they came close to subsistence level. Perhaps from humanitarian instincts or more likely from fear of revolution spreading across the channel, the granting of allowances in aid of wages became widespread, particularly in the southern counties, the best known of these being the Speenhamland system. This was introduced at Speen in Berkshire, in May 1795 by twenty magistrates, (seven of whom were clergymen), a group well-known for their sympathies with the labouring classes. The system provided a sliding scale of income based on the number in the family and the cost of bread; as the price of bread rose and the number in the family increased, so too did the amount of parish relief given. Though the allowance system was later to come under attack on both moral and economic grounds, for the time being it plugged a hole in the ailing poor law system. Historians such as Poynter and Brundage ascribe its temporary acceptance by the governing classes as a reluctance to tamper with existing institutions during the instability of war, though the former does

[74] Joseph Cozens, "'The Blackest Perjury': Desertion, Military Justice and Popular Politics in England 1803-5" *Labour History Review* 79/3(2014) p.255-80 argues that enlistment and desertion were not primarily about nationalism and loyalism but dependent on the makeshift economy. The large amount of desertion between 1803 and 1805, he sees as a response to increasing rural wages particularly at times of seasonal employment.

go on to suggest, that it was more likely to do with the relative prosperity of ratepayers.[75] It seems likely that both factors had some effect.

From the end of the eighteenth century, considered views began to be expressed on the need for the reform of the poor law. Most of these centred on the perceived evils of the allowance system, namely its increasing costs, and the labourers view of increasingly regarding such payments as a 'right' or entitlement. As early as 1797, Arthur Young reported that in Suffolk 'relief which formerly was, and still ought to be petitioned for as a favour, is now frequently demanded as a right; that idleness and intemperance which formerly feared to be observed, now obtrusively presses forward to sight; the pauper is no longer satisfied with his allowance nor the labourer with his hire …..'[76] A Bury St. Edmunds business man, Richard Dalton expressed his views similarly to the magistrates there, in proposals for reform of the poor law. He stated what many others had come to believe, that the Speenhamland system was injurious to 'the moral character and habits of the labourer' because it had abolished 'all distinction between the idle and industrious, the sober and the profligate and the frugal and improvident, obliterating the honest pride of independence.'[77]

Amongst the many views for reform, those of Thomas Malthus, an economist and philosopher writing in the eighteenth and nineteenth centuries, were to become particularly influential, in that they gave validation to beliefs about allowance systems such as Speenhamland. Malthus' ideas were set down in a work entitled '*An Essay on*

[75] J.R.Poynter, *Society and Pauperism*, p.187 and Anthony Brundage, *The English Poor Laws* 1700-1930, p.30.
[76] Arthur Young, *General View of the Agriculture of the County of Suffolk* (1797), cited in A.J. Peacock , *Bread or Blood,* p.35.
[77] *Ipswich Journal,* 15 Jan.1831.

the Principle of Population as it Affects the Future Improvement of Society'. This was first written in 1798 and by 1826 had run to a further five editions, in itself an indication of the popularity of his views. Malthus' basic idea was that population growth was outstripping food supplies and that this was due to poor law relief, particularly that provided by the allowance (Speenhamland) system, encouraging early marriage amongst labourers and thus the earlier production of children. He wrote that 'they (the labourers) are taught that there is no occasion whatever for them to put any sort of restraint on their inclinations, or exercise any degree of prudence on the affair of marriage, because the parish is bound to provide for all that are born.'[78]

As well as the argument for moral degradation of the workers, Malthus also advanced an economic argument in the form of the wage-fund theory, first propounded by the economist Sir Frederick Morton in his work *State of the Poor* in 1797. His arguments centred on the wage fund, which he claimed contained only a limited amount of money, so that if more was taken out for poor relief, wages were bound to go down. Malthus also added that 'when a fund for the maintenance of labour is raised by assessment, the greater part of it is not a new capital brought into trade, but an old one, which before was much more profitably employed, turned into a new channel.'[79] Such views would clearly hold appeal for those wanting a reform of the poor laws as well as gaining a ready audience amongst economists and entrepreneurs eager to advance further the industrial and agricultural revolutions.

[78] Thomas Malthus, '*An E*ssay *on the Principle of Population'* cited in James P. Huzel, 'Malthus, the Poor Law Population in Early Nineteenth Century England,' *Economic History Review Second Series,* 22/3 (1969), p.430-452.
[79] Malthus, 'An Essay on the Principle of Population' 1807 edition, cited in Boyer, *An Economic History of the English Poor Law* 1750-1850, p.56.

Although Malthus believed in the abolition of the poor law system, and its replacement by charity, his arguments were also used by those anxious to reform the poor laws. In 1807, Samuel Whitbread, in a speech to the House of Commons, attested to the influence of Malthus. In referring to his beliefs Whitbread stated that 'his work upon population has, I believe, been very generally read, and it has completed the change of opinion with regard to the poor laws, which had before been in some measure begun.'[80]

Malthus' views can also further be seen in both the *Report of the Select Committee on Labourers' Wages* of 1824 and the 1828 *Report of the Select Committee Relating to the Employment or Relief of the Able-bodied Persons from the Poor Rate;* the former, like the well-rehearsed arguments of Malthus, stated that the allowance system encouraged surplus population, because men with little income only have to marry and have children to increase that income. The latter reached a similar conclusion in arguing that the allowance system undermined 'the principal check to improvident marriages among the poorer classes' and hence encouraged earlier and larger families.[81] Given the context into which Malthus' ideas were introduced, i.e. rising birth rate, unemployment and high poor rates, against a background of spasmodic unrest, it is easy to see how they gained such traction.

The pace and demand for poor law reform increased after 1815, not least as a result of rising costs to the ratepayers. Sidney and Beatrice Webb tell us that costs had risen

[80]Samuel Whitbread cited in Sidney and Beatrice Webb *English Poor Law History,* p.25.
[81] James P. Huzel, 'Malthus, the Poor Law and Population in Early Nineteenth Century England' *Economic History Review* 22/2 (Dec. 1969) p.434.

enormously from 1784 when they were around two million pounds, doubled by 1803, and then doubled again by 1818, reaching a high point of approximately eight million pounds.[82] In counties where the Speenhamland system was used, expenditure tended to be greater than those where it was not. Of the Speenhamland counties, Suffolk ranked as third highest in the payment of poor relief in 1831, at an average of 18/4d *per capita*, compared with the average of 13/8d for all Speenhamland counties, the dissatisfaction of Suffolk ratepayers was perhaps therefore understandable. [83]

It was however as George Boyer was to claim, not the rising cost to ratepayers which was ultimately responsible for Poor Law reform, but the outbreak of violence known as the Captain Swing riots of 1830-31, against a further background of revolution in France.[84] He goes on to state that 'the fear of continuously increasing poor rates probably was not strong enough by itself to cause the government to take action in 1832.'[85] It was therefore probably the addition of the Captain Swing riots which ultimately led the government to take action in this area.

There is some disagreement however as to where and when the Swing riots started, Griffin preferring the Elham valley in Kent in 1830, whilst Archer puts the beginnings of the riots in Suffolk, in the machine-breaking activities at Ashbocking, Otley, Stonham Aspal and Wetheringsett during the harvest of 1829.[86] The confusion is best explained by the fact that both authors agree that violence was endemic in the areas about

[82] Sidney and Beatrice Webb, *English Poor Law History,* p.1-2.
[83] Mark Blaug, 'The Myth of the Old Poor Law and the Making of the New', *Journal of Economic History,* 23/2 (1963),p.178 and p.164.
[84] George Boyer, *An Economic History of the English Poor Law* 1750-1850, p.195.
[85] *Ibid*.p.196.
[86] Carl J. Griffin, *The Rural War: Captain Swing and the Politics of Protest*, p.65. John Archer, *By a Flash and a Scare,* p.87.

which they were writing (Griffin, the South East and Archer, Norfolk and Suffolk) making it difficult to identify a starting point. Rudé and Hobsbawm however, who cover both the areas studied by Griffin and Archer, also support the beginnings of Swing as being in the South East. They tell us that the unrest began in the autumn of 1830, as an agricultural revolt in the southern counties, with a repeat of the arson and machine-breaking attacks of 1816 and 1822. They go on to state that it started off in Kent and gradually spread to the whole of the South Eastern counties and the Midlands.

Apart from the skirmishes of 1829, the movement proper is said to have reached Suffolk by the end of November and was mainly confined to the East of the county where there were 'tumultous (sic.) wages meetings,' but no violence was committed.[87] However, it seems likely that the government were pro-active in preventing further outbreaks in Suffolk by the capture of a self-styled Captain Swing, otherwise known as Joseph Saville, in Stradishall on 16th December 1830. Saville, according to Rudé and Hobsbawm and Archer, was a well-dressed, middle-aged, straw plait maker from Luton, who was well-known for good works in his parish. He was found to be in possession of notes to the value of £580 and a large quantity of 'inflammatory notices', all signed 'Swing'. He was sentenced to twelve months imprisonment and a £20 fine.[88] The capture of Saville appears to have brought an end to riotous events in Suffolk. Farmers suffered only the loss of one threshing machine (though Archer records 42

[87] Hobsbawm and Rudé, *Captain Swing* p.159.
[88] *Ibid.* p.161-2, John Archer, *By a Flash and a Scare,* p.94. The two accounts differ slightly on Saville's first name and the amount of fine paid.

cases of incendiarism from 1830-32), having probably learned from the 1822 'Bread or Blood Riots' to take precautions by dismantling their machines.

Whilst events may have been over in Suffolk, the same could not be said of the South East where problems had been brewing for a number of years. According to the *Brighton Gazette,* after the two wet summers of 1828 and 1829, creating reduced opportunities for harvesting and threshing, and further exacerbated by the decline of the rural trades, 'the peasantry was depressed beyond measure.'[89] The opening event of the Swing riots was accompanied, as was to become the manner of all such resistance, with a demand for higher wages and the removal of all threshing machines, the latter often being the focus of their attacks. There is some suggestion by historians who mainly concern themselves with gender issues, that the largely male machine breakers in carrying out this activity, were committing an act of rape on the women of their community and thus re-asserting their masculinity in both class and gender terms.[90] Though Griffin does not go as far as this, he nevertheless states that, 'destroying a threshing machine not only restored an employment opportunity for labouring men, but it also resurrected the totemic power of male labour in rural England.'[91]

[89] *Brighton Gazette,* 16 Jul.1829.
[90] For fuller discussion of gender issues see J. Burnette, 'The Wages and employment of female day labourers in English agriculture.' 1740-1850, *Economic History Review, 57/4* (2004) p. 664-9. J. Humphries, *Childhood and Child Labour in the British Industrial Revolution* (Cambridge, 2010), K. Sayer, 'Field-faring women: the resistance of women who worked in the fields of nineteenth century England,' *Women's History Review,* 2/2 (1993), p.185-98, P. Sharpe, 'The female labour market in English agriculture during the Industrial Revolution: expansion or contraction?', *Agricultural History Review, 47/2 (1999), p.161-181'* N. Verdon, *Women Workers in Nineteenth Century England: Gender, Work and Wages,* (Woodbridge, 2003).
[91] Griffin, *The Rural War,* p.220.

As stated by Hobsbawm and Rudé however, riots in different areas could be for very different reasons. They suggest that the riots were a coincidence of several movements for reform; as well as being an agricultural movement fighting for higher wages through rick burning and attacks on threshing machines, it was also according to them, an industrial movement involved in attacking machinery in the manufacturing districts of the Midlands and the North West, and a political reform movement based in the cities and boroughs. In addition, in the Weald, the Poor Law itself became a focus of bitterness with incendiary attacks on overseers, and vestries besieged by angry claimants. In other areas there is some evidence to suggest that there was complicity on the part of some of the farmers, who were using the labourers' unrest to fight for their own interests for a reduction in tithes.[92] The disturbances in Suffolk generally tended to be of the wages or tithe variety, farmers claiming they could not increase wages because of high tithes they had to pay to the church.

An important aspect of the riots was political radicalism, an area ignored by both the Hammonds and Hobsbawm and Rudé according to E.P. Thompson, who berated them for this omission. He regarded the riots as clear evidence of the actions of political radicals in the mobilisation of workers.[93] Cobbett was considered by Griffin to 'have harnessed Swing's power in print for his broader parliamentary political ends.'[94] Cobbett himself proclaimed that his *Political Register* and *Two-penny Trash* were widely read by rural workers and that as such were responsible for the vehemence of

[92] Hobsbawm and Rudé, *Captain Swing* p.159.
[93] This issue is discussed in more detail in Griffin, *The Rural War* p.163.
[94] *Ibid.* p.162.

Swing and had helped to shape its discourse.[95]Though he was a recognised self-propagandist, the 1832 Royal Commission also supported Cobbett's views, in frequently mentioning his lectures and writings as being central to Swing.[96] However, it is easy to overplay Cobbett's influence and Griffin concludes that although he encouraged the 'rural war', he was not its leader. Riots were essentially local, and a specific experience of a rural labour conflict, though he does accept that experiences elsewhere were also important.[97]

Griffin however, believes it was revolution in Europe, particularly in France from 27-29 July, 1830 that finally galvanised radicals (and hence Swing) into action. Subsequent meetings, draped with tricolours, left no doubt where the sympathies of the public meetings lay and nor were they just confined to the major towns. The inter-weaving of local and wider political interests became common giving the impression of a country on the verge of collapse. Griffin cites a number of incidents which support this conclusion, from the cancelling of the King's annual visit to London, which was felt to be unsafe, to the comments of an otherwise loyal member of the public; during the autumn of 1830, Lord Carnarvon's steward on his Highclere Estate, expressed his view on a catalogue of disasters that he perceived to have taken place in the countryside. He stated that 'the whole rural machine is going wrong', labourers were only half-employed and close to starvation, and farmers and shopkeepers were half ruined. He was convinced that the whole country was 'rife for change' and only needed a spark to

[95] *Ibid.* p.162. For a fuller discussion of this issue see 'Mr. William Cobbett, Captain Swing and King William IV,' *Agricultural History Review,* 45/1 (1997), p.42-3.
[96] Griffin, *The Rural War,* p.162.
[97] Griffin, *The Rural War,* p.163-5.

create revolution.[98] Nor was his the only voice fearful of revolution. According to Griffin, the rural gentry and aristocracy 'saw in every stranger and every fire, signs of revolution.'[99] The Webbs also believed that the riots had 'put the fear of revolution into the hearts of the governing classes.'[100]

What historians are here agreed upon is the breakdown of social order and indeed of rural 'social control.' Although problematic and much debated, the latter is a key concept in understanding social and political relations in nineteenth century Britain.[101] The term here is used in the way in which F.M.L. Thompson sees it as being of the greatest use i.e. 'to periods that were felt to be ones of particularly alarming social turbulence, flux and disintegration such as the Industrial Revolution.'[102] The loss of such control can be instanced by riots of the Luddites in 1812, of the agricultural labourers in East Anglia in 1816 and 1822, of the large towns such as London, Nottingham and Bristol over parliamentary reform and ultimately of the Swing rioters. Donajgrodzki states that social control was normally maintained not just by the obvious means of legal systems such as police forces and prisons, but through a wide range of social institutions of which the Poor Law was considered to be one.[103] The loss of such control therefore indicated all was not well with the social institutions

[98] HCRO, 75M91/E26/10 J.R. Gowan, Christian Malford to Lord Porchester, Lynmouth, 18 Nov. 1830 cited in Griffin, *The Rural War,* p.190.
[99] Griffin, *The Rural War,*p.200.
[100]Sidney and Beatrice Webb, *English Poor Law History* p.45.
[101] For various interpretations of the term see Gareth Stedman Jones, 'Class Expression and Social Control', *History Workshop Journal,* 4 Autumn, (1977) p.162-170, Robert Storch, 'The Policeman as Domestic Missionary, *Journal of Social History,* 9 (1976), p.481-509 and F.M.L. Thompson, 'Social Control in Victorian Britain,' *Economic History Review* ,34/2 (1981), p.189-208.
[102] F.M.L. Thompson, 'Social Control in Victorian Britain,' *Economic History Review,* 34/2 (1981), p.206.
[103] A.P. Donajgrodzki, *Social Control in Nineteenth Century Britain* (London, 1977), p.9.

responsible for it. From this perspective, the Poor Law was clearly in need of reform, not least to reassert social control.

Two factors in the riots finally led to a movement for reform; firstly , they appeared to offer further evidence that workers demanded maintenance as a right whilst secondly the riots were seen as an indication that local administration of poor relief was badly mismanaged, since it increased rather than decreased the discontent of the workers. [104] A correspondent on the poor laws for *The Times* in November 1833 expressed this view forcibly. He saw the 'rapes, robberies and murders, and firing of wheat ricks' as evidence of the altered character of the British peasantry brought about by increasing reliance on the Old Poor Law system, particularly relief in aid of wages. His belief was that such a system could no longer be permitted, since it led to 'acrimonious and hostile feelings between the different orders of society' which 'threatened the security of society itself.' [105] Boyer states that it was 'in response to such pressure' that the government appointed the Royal Commission of 1832, which was later to embody the Poor Law Amendment Act of 1834.[106]

There is no doubt that the Speenhamland system and the Swing Riots had a strong effect on the focus of the Commission, which confined its questions to Southern England, the counties which generally operated the Speenhamland system and where most of the disturbances of the Swing riots had taken place. Dunkley accurately states

[104] Sidney and Beatrice Webb, *English Poor Law History,* p.46.
[105] *The Times,* 12 Nov. 1833.
[106] Boyer, *An Economic History of the English Poor Law*, p.198-9.

that the riots of 1830-31 were 'woven through the pages' of the 1832 report.[107] The Commission did not set out to gather information with an open mind on its findings, but rather to find evidence to support the conclusions that it had already reached. Thus, the Commission, and ultimately the act, primarily aimed to deal with two perceived problems; that of the moral degeneracy of the poor encouraged by the existing system, and outlined by Malthus and others, and the increasing cost of such a system to the ratepayers.

Modern day historians have also recognised the impetus to poor law reform which the violence gave. Felix Driver comments on 'the wider context of a crisis of social authority reverberating throughout rural England during the early 1830s,' whilst Peter Dunkley also notes that 'vital questions of discipline and order were at stake.'[108] Brundage even goes so far as to suggest that 'lurking behind the financial concerns of peers and squires was the spectre of social disintegration.'[109] Similarly, in Norfolk where rioting had been widespread, Anne Digby notes that the easy transition to the new system was brought about by collaboration of property owners with central administration 'because they found the punitive, class element in this legislation congenial, and welcomed the more rigorous relief system as a means of disciplining the poor.'[110]

[107] Dunkley*, The Crisis of the Old Poor Law,* p.95.
[108] Felix Driver, *Power and Pauperism*, p.26. Dunkley, *The Crisis of the Old Poor Law,* p.iv.
[109] Anthony Brundage, *The Making of the New Poor Law 1832-39* (London, 1978), p.15.
[110] Anne Digby, *Pauper Palaces*, p4.

A further key feature of reform was the aim, (particularly of its main architects, the political economist Nassau Senior, and the Utilitarian state servant Edwin Chadwick) to introduce uniformity and efficiency. Because the system of poor relief was based on the parish, with few central controls, there was a wide diversity of practice. At one end of the scale lay the parish poorhouses or workhouse, described as 'a mixture of all kinds of paupers in a state of filth, oppression and debauchery' arising from the fact that the buildings were often small and the parish lacked the funds to create any segregation.[111] At the other end of the scale, were the large and sometimes quite opulent Houses of Industry, the so-called 'pauper palaces' which were the workhouses of incorporated unions created by local Acts and Gilbert's Act, where inmates were relatively well provided for.[112] Both were felt to be subject to the corrupt workings of local government through pressures brought to bear on local overseers and magistrates. By creating a national system, it was hoped that these irregularities would be ironed out, producing a more uniform and efficient system, as well as a cheaper one.

The Poor Law Amendment Act of 1834

The New Poor Law or Poor Law Amendment Act of 1834 followed hard on the heels of the findings of the Commission of Enquiry, and was based almost totally on its recommendations. In the interests of both reducing the poor rates and restoring the moral distinction between the deserving and undeserving poor, the New Poor Law

[111] M.A.Crowther, *The Workhouse System* 1834-1929, p.25 based on the Report of the Royal Commission 1832-4.

[112] The term opulent to describe the Houses of Industry came from the policy makers, but it was by no means a given fact that this was actually the case. The term here is used to distinguish them from the much smaller parish workhouses.

proposed to abolish all outdoor relief for able-bodied males. Instead, they and their families were to be offered the workhouse, though to prevent it from becoming an equally costly alternative, conditions were to be 'less eligible' (worse) than those of the lowest paid labourers, which would in theory, encourage the labourer to seek employment and provide for himself and family. In the form in which they existed, many of the workhouses were unsuited to this task. To overcome the problem, a number of parishes were to be grouped together to form a Union, which would then create its own large workhouse, defraying the costs over a wider area. The workhouses were to be under the control of a Board of Guardians, elected by, and therefore accountable to, local ratepayers.

Social control might be seen as a key function of the Union workhouse, where 'discipline and restraint' were the watchwords.[113] The imposition of such discipline can be seen through a number of conditions laid down in the workhouse to give them their deterrent effect; foremost amongst these was the decision to classify and then segregate different groups of individuals. Thus, men and women, children, the aged, sick and infirm were all to occupy different sections of the workhouse.[114] Conditions in the workhouse were to be highly disciplined, with controlled dietaries, uniform clothing, rigid rules and the provision of work for those capable of it, so that the inmates would not fall into the habit of idleness. Dr. James Kay, an early Assistant Commissioner for first Norfolk and then Suffolk, adjudged the workhouses to be 'a minute and regular observance of routine,' involving religious exercises, silence during

[113] E.P. Thompson, *The Making of the English Working Class* (London, 1963), p.295.
[114] Originally the Royal Commission had envisaged separate workhouses for the different groups, but this proved too costly for Unions and was quickly dropped.

meals, prompt obedience and separation of the sexes, labour and total confinement.[115]

Paid relieving officers were to be appointed in the place of unpaid parish overseers, to take over the job of assessing and providing for local need and such cases were to be brought before the Board of Guardians for their approval. The whole system was to be subject to the control of a national body of three Poor Law Commissioners through Assistant Poor law Commissioners attached to particular areas of the country. By such measures it was hoped that an efficient and uniform system would be provided as well as one which lowered the poor law rate and created 'moral reform' amongst the paupers.

The decisive influences on the Poor Law Amendment Act have been a source of considerable historiographical debate, with Edwin Chadwick and Nassau Senior, the main architects of the Act, being seen as the conduits for its main ideas. Amongst these ideas was that first put forward by Sidney and Beatrice Webb, that the approach of the Act was based on the ideas of Jeremy Bentham, more specifically, 'specialised government departments supervising and controlling from Whitehall through salaried officials.'[116] Brundage also comments on the Benthamite view of the need for greater professionalism, whilst Green suggests that the promotion of efficiency through the creation of a central board was the most original and important element of the act.[117]

[115] Dr. James Kay, cited in Thompson, *The Making of the English Working Class*, p.295-6.
[116] Sidney and Beatrice Webb, *English Poor Law History,* p.26-7.
[117] Anthony Brundage, *The English Poor Laws,* p.62. David Green, *Pauper Capital,* p.13.

The promotion of Benthamite ideas was considered to have come from Edwin Chadwick, a former secretary of Bentham.

The principle of 'less eligibility' incorporated in the act, could also be seen as a Benthamite idea, but could also have emanated from other sources. Peter Mandler argues convincingly for the influence of the Noetics, an academic group based at Oxford, who combined the hitherto unrelated disciplines of natural theology and political economy. They arrived at the theory of less eligibility independently of Bentham. One of their number, Richard Whately, had actually begun to implement it in Suffolk; in 1823, he instructed the directors in the Bulcamp House of Industry to 'restrict relief to deterrent, less eligible proportions' and to abolish outdoor relief to the able-bodied altogether. [118] The lineage of the idea has therefore a second possible route from the Noetics, through Whately, and his most famous disciple, Nassau Senior.[119]

Such views took root because the Elizabethan Poor Law system was clearly becoming inadequate to deal with the large number of unemployed, created by an increasing population and new labour arrangements largely resulting from the agricultural and industrial revolutions. An added incentive for reform came from higher poor law rates and at times widespread violence amongst the labouring classes. The Whigs returned to office in 1830 after a long period in the wilderness and this is sometimes seen as added impetus for reform. However, the great support received by the Poor Law

[118] Peter Mandler, 'Tories and Paupers: Christian Political Economy and the Making of the New Poor Law' *Historical Journal ,* 33/1 (1990). Also reprinted in PP Royal Commission on the Poor Laws. Appendix C p.260-61.
[119] Mandler, 'Tories and Paupers', *HJ* 33 (1990) p.97.

Amendment Act – it passed by 319 votes for to 20 against - would suggest that reform was not primarily dependent on the Whigs being in power. Ultimately, the key factors appear to have been the linking of the evils of the allowance system (its perceived moral effects on the poor, and economic effects on the ratepayer) with the widespread disturbances of the Captain Swing riots and revolutionary activity in France. The Commissioners set out to gather evidence from the areas where both the Speenhamland system and the Swing riots were rife and unsurprisingly found the support for reform they were looking for.[120]

Suffolk was one of those counties where Commissioners sought their evidence. The report stated that about half the population of the county was by this time dependent on poor relief, and the Speenhamland system still seemed to be in operation.[121] As in the rest of the country, those with a vested interest in change recognised the 'evils' of the old system; Henry Stuart, (the Commissioner reporting for Suffolk) referred to payments to the able-bodied as 'creating a spirit of improvidence among all those who can only be stimulated to prudence and economy by the pressing call of want,' clearly reflecting the views of Malthus.[122] To offset the high costs which many associated with the allowance system, Eastern Suffolk had already incorporated some of its parishes. This system like the one at Southwell in Nottinghamshire was clearly favoured by the Commissioner, who relayed comments from Halesworth on the favourable effects on

[120] Mark Blaug, 'The Myth of the Old Poor Law and the Making of the New', *Journal of Economic History,* 23(2) (1963), p .152. He refers to a comment of Tawney's which described the 1834 Report on the Poor Law as 'brilliant, influential and wildly unstatistical'.
[121] Parliamentary Papers 1834.Report from his Majesty's Commissioners for Inquiry into the Administration and Practical Operation of the Poor Laws. (From hence referred to as Poor Law Commission Report) Appendix A p.335.
[122] Parliamentary Papers, Poor Law Commission Report, Appendix A p.365.

the poor rates and behaviour of the working classes, resulting from incorporation. He stated 'our rates are lower, the poor more satisfied compared to neighbouring hundreds which are not incorporated.' [123] The situation which had given rise to the increased use of the allowance system was also evident in Suffolk, with the decline of cottage industries and the greater mechanisation of agriculture. Thus, we see the area involved in rick-burning and machine-breaking at various time throughout the early part of the nineteenth century, consistent with events in other Speenhamland counties. The evidence from Suffolk, no less than these, provided the Commission with a basis for reform which had long been developing.

Conflict between local and central government

At one level, as previously shown, the Poor Law Amendment Act might simply be seen as a response to an outdated, inefficient and increasingly costly system on which paupers had become overly dependent and morally degraded. However, in forging a new policy other issues were also at stake. At its core, many historians believe, was the desire for improved social control, popular belief seeing the numerous riots of the early nineteenth century as proof that such controls had broken down. In addition, the act has widely come to be regarded by historians as revolutionary in administrative terms, in its imposition of central authority in an area hitherto considered to be the preserve of local government. Such a system virtually ensured a clash between the two bodies, and given that the Poor Law Amendment Act had laid down few policies,

[123] Parliamentary Papers, Poor Law Commission Report, Appendix A. p.613.

local bodies were able to exert their will in delaying or even preventing the development of central policy.[124]

Sidney and Beatrice Webb in *'English Poor Law Policy'*, were the first historians to regard the administrative changes made by the Poor Law of 1834 as revolutionary.[125] This revolution is largely considered to be the beginnings of a shift in the dominant form of government from local to central. Such a shift came about chiefly through the desire of the architects of reform, particularly Nassau Senior and Edwin Chadwick, to create a uniform system, which by its very nature required central control. Such a move, it was felt, would do away with the jobbery and corruption considered to be rife at local level, by putting the system into the hands of paid and efficient personnel, and above them a Board of Guardians, not themselves paid, but elected representatives of local ratepayers. Here, decisions on receipt of relief would be made not on local views of deserving or undeserving, but on the specific criterion of able or non-able-bodied. As Chadwick was to state in 1836, the three main principles of the new law were uniformity, efficiency and impersonality.[126] Such an approach was the absolute antithesis of a system which had been based on local knowledge of deserving and undeserving poor and the provision of relief on that basis. The new system meant that local authorities would be divested of these discretionary powers that they had wielded for centuries. They were not about to give up such powers lightly.

[124] David Eastwood, *Governing Rural England*, p.1 attests to the power of local government in later Hanoverian England.
[125] Sidney and Beatrice Webb, *English Poor Law Policy* . Chapter 1 is entitled 'The Revolution of 1834'.
[126] 'The New Poor Law', *Edinburgh Review* 63 (1836) p495, 532 cited in Mary Poovey, *Making a Social Body (*London, 1995), p.108.

It was the new model of government embodied in the central institution of the Poor Law Commissioners (aided by Assistant Commissioners in the localities}, which was to be most contentious. Sidney and Beatrice Webb suggest that the Royal Commission, perhaps realising that a central government department would not be accepted at this stage, suggested a Central Board of three Commissioners, which would lay down principles for the guidance of local authorities.[127] Whilst such a development weakened the Poor Law Commission in denying it representation in parliament, it concentrated power in the hands of a very small number of people. Such power was further enhanced by the fact that policy was not based on parliamentary statute, since the 1834 Act merely referred to the recommendations of the Royal Commission; these recommendations were translated into policy by General, and Particular or Special Orders, issued by the Commissioners, and although guardians had some powers at local level, they were nevertheless subject to the control of central authority through these orders which had the force of law. Whilst this gave the Poor Law Commissioners considerable power to develop policies and practices, it also ensured that there would be conflict with the Boards of Guardians, anxious to maintain local powers over encroaching central government.

To some extent, the Royal Commission appear to have anticipated conflict and were at pains to accommodate local sensibilities. From the very beginning Nassau Senior

[127] Sidney and Beatrice Webb, *English Local Government vol.8. English Poor Law History part II. The Last Hundred Years*, p.72. The original three Central Commissioners were Thomas Frankland Lewis, the chairman of the body and a Tory who had served on various Commissions of Enquiry, John George Shaw-Lefevre, a well-travelled Whig, and George Nicholls who had served two years as the overseer for the reformed workhouse of Southwell. Edwin Chadwick, although a major participant in the formation of the actual Act was given the much less well-paid job of Secretary.

stated his 'anxious desire to avoid unnecessary innovation and direct interference.'[128] A similar view was expressed by Chadwick in response to a letter written to *The Times* by a parish officer seeking instruction on plans made for local poor law reform before the Act was implemented. Chadwick's advice was to commence the plans without delay, since future reforms by the Commissioners, would be of 'a tendency to strengthen, not to subvert such reformation,' though he did add the rider that the reforms should be 'in accordance with sound principles' (presumably those laid down in the report of the Royal Commission).[129] Care was also taken to mitigate the later influence of Chadwick; Brundage states that because of the need for sensitive handling of the guardians and their opposition to centralisation, Chadwick as an ardent centraliser was denied a position as one of the three Poor Law Commissioners. Similarly, he argues that his continued failure to gain such a post as vacancies occurred was due to the need to project a conciliatory approach to local bodies of guardians. He states that 'to have supported Chadwick would have negated the moderate conciliatory approach the Whigs needed to project.'[130] There may be some truth in such claim; Chadwick was notorious for his inability to get on with his colleagues, though in addition he lacked the social standing required for such positions, which might also account for his failure to gain the desired posts. Such attempts at conciliation were in any case of limited effect, with local bodies often vociferous in contesting the powers of central government.

[128] Senior, 'Annual Reports of the Poor Law Commissioners', p28 cited in David Green, *Pauper Capital*, p.13.
[129] *The Times,* 14 Oct. 1834.
[130] Anthony Brundage, *England's "Prussian Minister"* (London, 1988), p.54.

Until 1834, the poor law had been regulated by 'local government authorities, virtually free of any supervision or control by the King's ministers or by any government department.'[131] So embedded in the British psyche were such principles, that national papers such as *The Times, The Standard,* and *The Morning Herald* led the attack on the new act on the basis of the 'unconstitutional and un-English principle of centralisation.'[132] Whilst such views made little impact on parliament in opposition to the Poor Law Amendment Bill, they nevertheless alerted them to the strength of such feelings. In concession to them, the clause giving Commissioners the power to abolish Poor Law Incorporations created by local laws was dropped, and the life of the Poor Law Commission was reduced to five years.

The opposition evoked by the policy of centralisation focused on the issue of local liberties. A comment made in the *Leicester Journal* referred to the 'tyrannical and arbitrary power of the Central Board of the irresponsible Commissioners which completely nullifies and destroys the representative system so congenial to the feelings of the people of this country.'[133] The same argument was still being put forward in 1839, in a petition to Queen Victoria by John Day and the Southwark vestry. They claimed that the 'new central administration would subvert the wishes of local ratepayers, and as such was an attack on the traditional rights and liberties of free-born Englishmen.'[134]

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[131] Webbs , *English Poor Law History,* p.72.
[132] *Times*, May 5, 1834. *Standard,* May 5, 1834. *Morning Herald,* May 28, 1834 cited in David Roberts, *Victorian Origins of the British Welfare State*, p.41.
[133] *Leicester Journal,* 28 Feb. 1838 cited in Derek Fraser (ed.), *The New Poor Law in the Nineteenth Century* (Basingstoke, 1976), p.19.
[134] SLSC St. George the Martyr Southwark Vestry, Minutes, 29 May 1839 cited in David Green, *Pauper Capital ,* p.108.

This central theme was taken up by the anti-poor law movement, active both in London and particularly the north of England. Thomas Walker, a barrister and London magistrate argued that 'parochial self- government is the very element upon which all other government in England depends, and as long as it is out of order, everything must be out of order…..'[135] The movement had some significant success in halting the march of centralised forces in London. Many of the metropolitan districts were controlled by local laws, had a strong sense of independence and thus resisted Unionisation. In March 1836, the Poor Law Commissioners tried to force the issue, by ordering the St. Pancras vestry to replace its directors of the poor, elected under a local act of 1819, with a board of elected guardians required by the New Poor Law. On this issue, they complied, but merely elected the same men, who then refused to do business or elect a chairman. When the Poor Law Commission issued a writ of mandamus forcing the guardians to act, the vestry responded by appealing to King's Bench, which ruled that the Poor Law Commission had no authority to act in this way. Such a momentous decision had a profound effect on the implementation of the new law in London, with all attempts to unionise recalcitrant metropolitan districts suspended for the immediate future.[136]

Faced with such opposition, it also appears that the Poor Law Commissioners deemed it expedient to make concessions in the north. Following the resistance of some Boards of Guardians to building Union workhouses, the Poor Law Commissioners declared that 'they were disposed to leave the "contemplated workhouse system"

[135] Thomas Walker, *Suggestions for a Constitutional and Efficient Reform of Parochial Government* (London, 1834) p.3 cited in David Green, *Pauper Capital ,* p.109.
[136] Green, *Pauper Capital,* p.104-5.

very much to the Boards of Guardians i.e. to local control.'[137] At the very least, the assertion of local liberties had stemmed the tide of the New Poor Law. The Poor Law Commission clearly could not ride roughshod over the desires of local bodies.

[137] Minutes, Newcastle Board of Guardians, 7 Oct. 1836, cited in Webb, *English Poor Law Policy,* p.26.

Chapter 3

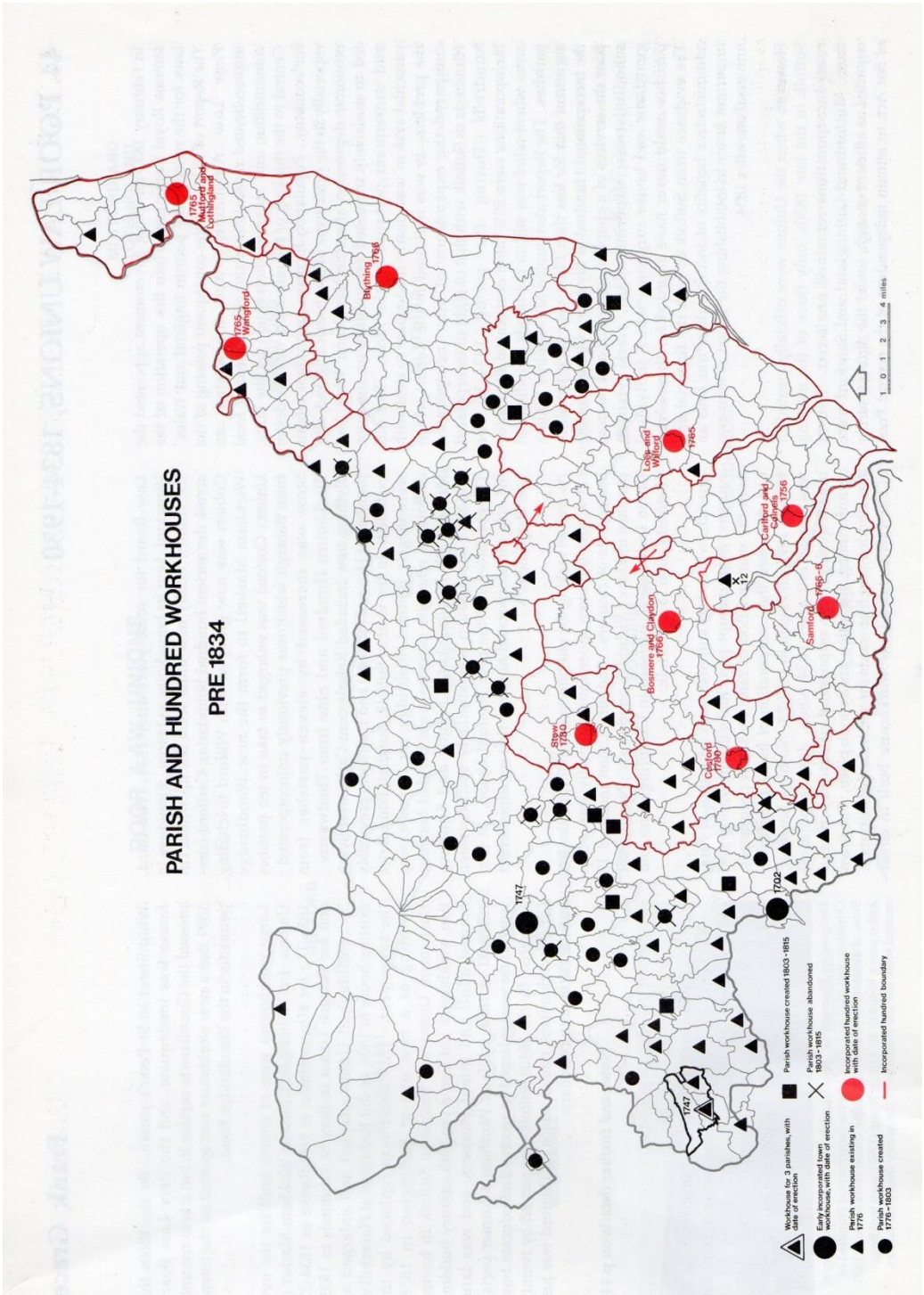
The Poor Law in transition in Suffolk

This chapter examines the same issues at local level, as those examined at national level in the previous chapter in order to give a more nuanced approach. Thus it examines the context of reform in Suffolk and how representative it was of the national situation, as well as looking at how it adapted to the measures laid down by the 1834 Act. As in chapter 2, it also discusses some of the many conflicts between local Boards of Guardians and central Poor Law Commission in the early years of the New Poor Law.

The Context of Reform

The diverse nature of the poor law systems in Suffolk before 1834 well-illustrates that very situation which Chadwick and others wished to reform. Like most counties, Suffolk had many parish poorhouses, usually small but varying widely in size and efficiency.[138] At the beginning of the eighteenth century however, two of its major towns, followed the trend of establishing incorporations of the poor by unifying their parishes. Thus, the two market towns of Sudbury and Bury St. Edmunds, with two and three parishes respectively, set up a single workhouse for their areas in 1702 and 1747, becoming incorporated towns[139](see map 1). In addition, the idea of incorporation was further developed in rural Suffolk from the mid 1750s with the creation of a large number of local acts between 1756 and 1779 setting up several incorporated

[138] Efficiency is here seen as value for money as the ratepayers saw it.
[139] David Dymond, 'Parish and Hundred Workhouses, before 1834' in David Dymond and Edward Martin (eds.) *An Historical Atlas of Suffolk* (Ipswich, 1988) p.96.



David Dymond, 'Parish and Hundred Workhouses, before 1834', in David Dymond and Edward Martin (eds.), *An Historical Atlas of Suffolk* (Ipswich, 1988), p.96.

Hundreds and providing a single large workhouse or House of Industry in each. [140] Few other counties contained such a wide range of different systems or contained such a large number of incorporated Unions.[141]

In Suffolk, as elsewhere, parish relief systems were considered particularly susceptible to corruption and inefficiency. In the *Second Annual Report of the Poor Law Commission in 1836,* attention was drawn to maladministration in the parishes of Friston, Sudbourne, Iken and Snape. Snape was described as 'having a lawless population of paupers, disbanded smugglers and poachers who extorted the scale allowance from the reluctant overseers by threats of violence'. A further account had been given by Charles Mott, (the first Assistant Poor Law Commissioner for Suffolk), in a letter to the Poor law Commission in July 1835; he stated that 'nothing can exceed the dreadful state in which some of the parishes in the Hartismere Hundred are placed by the old system of relief'. He singled out the parish of Thorndon where the costs of maintaining the poor were an enormous £2 per head (compared with an average of 18s 4d for the county) and where the paupers were considered particularly violent and likely to cause disturbances at any time.[142] Similarly, in his report to the Poor Law Commissioners, Dr. James Kay (who replaced Charles Mott as Assistant Commissioner

[140] A Hundred was a medieval administrative division within a county, consisting of a number of parishes.
[141] J. M Shaw *The Development of the Poor Law local acts 1696-1833, with particular reference to the Incorporated Hundreds of East Anglia.* (UEA 1989) unpublished PhD thesis, tells us that other Incorporated Hundreds existed in, Shropshire, North Wales and the Isle of Wight, but that the majority existed in East Anglia uniting a quarter of the parishes in Norfolk and almost half in Suffolk.
[142] TNA MH32/56T: Letter from Mott to PLC 24 July 1835 .

for Suffolk) also outlined problems of the parish poorhouses in Norfolk and Suffolk.[143] He stated that many of them were 'almost ruinous structures of lath and plaster, but without design and totally destitute of convenience.' He found little segregation or schooling and the whole, he felt was 'a picture of common misery or depravity.'[144]

However, in some areas there was a more mixed picture; in the area which formed the Newmarket Union after the 1834 Act, a committee formed to examine the parish poorhouses found a variety of practice. They described the poorhouse for the parish of All Saints, Newmarket as a complete 'Parish Nuisance,' with the Master and Mistress having 'no control whatever over the inmates' who they considered to be 'low characters of both sexes.' 'Common prostitutes' they claimed were allowed to go in and out at their own pleasure and there was 'no kind of employment whatsoever.' The poorhouse at that time held 93 inmates. Since most of the poorhouses were relatively small, this would suggest considerable overcrowding. On the other hand, the poorhouse for the parish of St. Mary's Newmarket benefited from much better management, its inmates, chiefly aged females being described as 'fit, clean and neat,' though it did only contain 11 inmates.[145]

Superficially the incorporated Hundreds appeared to be less in need of reform. In 1834, there were eight in total, three of them, Blything, Wangford, and Mutford and Lothingland on the northern border with Norfolk, and the remaining five, Samford,

[143] Sidney and Beatrice Webb, *English Poor Law History,* p.113 tell us that although Mott had provided invaluable evidence to the Commission of Enquiry, he was neither tactful nor discreet and was eventually asked to resign.
[144] Report by Dr Kay on the Administration under the Poor Law Amendment Act in Suffolk and Norfolk. Appendix to the *Second Annual report of the Poor Law Commissioners 1836.*
[145] SRO(B), DC1/2/1, Newmarket Guardians' Minute Book, 22 Jan 1836 .

Cosford, Bosmere and Claydon, Stowe, and Carlford and Colneis occupying a more central position surrounding Ipswich. The Hundreds of Loes and Wilford to the east of Carlford and Colneis had also become an Incorporation in 1765, but this had been dissolved in 1827, its House of Industry becoming the county Lunatic Asylum.[146] The northern Hundreds of Hoxne, Hartismere and Threadling had planned to become incorporated by a local Act of 1779, but never managed to raise the £16,000 required for the erection of the House of Industry.[147]

The factors which underpinned the formation of the Incorporations were the same as those that motivated the nineteenth century reformers, namely the desire to reduce costs and provide a more efficient system, and at some levels, this appeared to have been achieved. The Royal Commission noted that the 'money raised for relief in the incorporated Hundreds is less than the parishes of the Hundreds which are unincorporated.'[148] With a central body of control (at least in theory) of directors and acting guardians, the Incorporated Hundred also appeared to be an institution which could reduce parish corruption and inefficiency and thus, like Southwell in Nottinghamshire, attracted the interests of reformers, in providing (initially at least) something of a blueprint for reform.

However, the incorporated Hundreds themselves provided a far from uniform system. Although all had Boards of Directors and Acting Guardians, their level of control varied; in Mutford and Lothingland, and Wangford they retained control over parochial

9.David Dymond, 'Parish and Hundred Workhouses before 1834', David Dymond and Edward Martin (eds.) *An Historical Atlas of Suffolk*, p.96-7.

[147] White's Directory, 1844 .

[148]TNA, MH32/56 : Letter from Chadwick to Mott, 12 Dec. 1834.

officers , such as overseers and churchwardens, who were required to attend meetings and take instructions on the distribution of relief. In most other Incorporations, the Directors and Guardians had not retained these powers, and relief of the poor was an entirely parochial decision.[149] It was this parochial control which the Poor Law Commissioners saw as being at the heart of the problems of corruption and inefficiency of the system.

Even where the Directors and Guardians maintained control, there were significant problems with the system. The two extant minute books of the Bosmere and Claydon and Carlford and Colneis Incorporations show that meetings of the Directors and Acting Guardians occurred only once a month, often with very low attendance. They also record a relatively sketchy account of their proceedings. At a meeting between Dr. Kay and the ratepayers of the area, reported in the *Ipswich Journal* in September 1835, he claimed that three quarters of the meetings of the Boards of Directors and Acting Guardians were not quorate, and that Directors and Guardians elected at these meetings were in effect, an illegal body.

In addition to its administration, the size and nature of the Houses of Industry were also features which were considered to be in need of reform. The term 'pauper palace', was first used to describe them, somewhat ironically, by the Suffolk poet George Crabbe, but nevertheless gives some indication of the appearance of these buildings. The House of Industry at Barham in the Bosmere and Claydon Incorporation, built in 1766, was described as a 'spacious brick building,' which had

[149] Report by Dr. Kay on the Administration under the Poor Law Amendment Act in Suffolk and Norfolk. Appendix to the *Second Annual Report to the Poor Law Commissioners 1836*.

cost £10,000. Since later buildings in the new Unions tended to cost around £6,000, the comparison gives some indication of the superior nature of this building. The House of Industry erected in the Stowe Incorporated Hundred, at Onehouse, was considered particularly inappropriate by Dr Kay. In his report on Norfolk and Suffolk in the *Second Annual Report of the Poor Law Commissioners*, he described it as 'palatial' in character having 'little in unison with the wants of the homeless and necessitous poor.' Similarly, it was described as having 'more the appearance of a gentleman's seat than a receptacle for paupers' and even as eclipsing 'some of the neighbouring mansions.'[150] Paradoxically, however, this large house, having a capacity for probably 400 inmates contained only 94 when Kay visited it; these were able to enjoy the 'lofty and spacious rooms' and its 'clean and well-ventilated' aspect, much more luxurious it was believed than was required for the reform of paupers' habits. Indeed there was a tacit admission by the Board at Stow that such was the case, since they had largely resorted to outdoor relief, feeling the House encouraged pauperism, it being difficult to persuade the inmates to leave such comfortable conditions.[151]

The internal arrangements of the Houses of Industry were also considered inappropriate for purpose by the reformers. The amount of food provided for paupers, later to be an aspect of workhouse discipline, was considered far too generous, though figures quoted tend to vary widely. In September 1835, Dr Kay reported that the dietary in the House of Industry at Nacton in the Colneis and Carlton Hundred,

[150] White's Directory 1844 and Kay, *Second Annual Report of Poor Law Commission.1836* Appendix B.

[151] When the Assistant Poor Law Commissioner expressed surprise that the House of Industry had so palatial a character, the response was that it was due to being in the immediate vicinity of the county seats of some of the Directors who were naturally inclined to adorn rather than disfigure the landscape.

consisted of 97 ounces of solid food compared with the 47 ounces provided for the Dragoons.[152] By 26th December of the same year however, the *Ipswich Journal* was reporting that the inmates at Nacton were receiving 216 ounces of food (possibly of all types) and those in the Cosford House of Industry at Semer, 230 ounces and 3 pints of beer, compared with the average of 121 ounces for independent labourers. This claim was repeated in the *Second Annual Report of the Poor Law Commissioners*, where several Houses of Industry were listed as providing over 200 ounces of food per week for their inmates, beer also being provided as standard fare.[153] In addition it was claimed to be well-known that food was regularly sold out of Stow House of Industry by its inmates. A report from a committee set up in the Wangford Incorporation reiterated what was considered the major problem of the diet, that it was 'better in quality and more abundant in quantity than the wages of industry can procure for the labourer in constant employ.'[154] This, for the Poor Law Commissioners was the nub of the problem, their attempts to rectify it being the principle which underlay the concept of less eligibility, i.e. that the conditions under which paupers lived should be worse than those of the worst paid labourer. Clearly, an implementation of this policy required a great reduction in the amounts of food supplied in the Houses of Industry.

Like many of the parish poorhouses, the Houses of Industry were felt to be lacking a major aspect of deterrence, i.e. the segregation of different groups within the

[152] *Ipswich Journal* 12 Sep. 1835, reporting on meeting of 9 September.
[153] These included Stow, Blything, Bosmere and Claydon, Colneis and Carlford, Cosford and Samford , the highest at 247 ounces.
[154] SRO(L), 36/AQ2/1: Letter to Poor Law Commission Jan. 1835.

workhouse. In a letter to the Poor Law Commissioners in December 1834, Assistant Poor Law Commissioner, Charles Mott, commented on the 'gross abuses that exist in the workhouses,' there being no classification and no separation of sexes, with 'males and females being allowed to mix promiscuously.'[155] The House of Industry at Shipmeadow in the Wangford Incorporation, even provided accommodation for 20 married couples. The lack of classification of paupers in the Carlford and Colneis Incorporation was deplored in an article in the *Ipswich Journal* and considered as an aspect of 'lax internal discipline.'[156] Similarly the house at Stow was described as being 'almost as lax in discipline as a brothel.'[157] Such lax discipline was felt to encourage troublesome and unruly inmates. The *Second Annual Report of the Poor Law Commission* gave evidence from the Reverend Frederick Calvert, an *ex officio* guardian, of the problems suffered in the Cosford Incorporation, of the persistent intimidation of the governor by about 200 inmates of all ages. They resorted to breaking windows, refusing to work and even defying special constables before being brought under control.[158]

Particular opprobrium of Mott, and then Kay, as Assistant Poor law Commissioners was reserved for the Incorporated Hundred of Blything, where the House of Industry at Bulcamp was seen to demonstrate every evil of the old system. Not failing to mince his words, Charles Mott stated in reporting to the Poor law Commissioners that the

[155] TNA, MH32/5: Mott to Poor Law Commissioners Dec. 1834.
[156] *Ipswich Journal*, 12 Sept. 1835. Report on Kay's meeting with Guardians and ratepayers in Carlford and Colneis.
[157] TNA, MH32/48: Kay to Poor Law Commissioners 5 Oct. 1835 .
[158] Report by Dr. Kay on Norfolk and Suffolk . Appendix to 2nd Annual Report of Poor Law Commission 1836.

'entire Poor Law management is based on fraud and supported by perjury and deception.'[159] Mott had reported unfavourably on the Blything Incorporation as early as January 1835, when he stated that 'in addition to a heavy dietary, the impudent able-bodied lazy men with their wives and families are allowed to (live?) in a comparative palace and are indulged with the produce of 10 Milch cows and 65 acres of land, having the best fresh butter and other luxuries.' This situation, he went on to state, coupled with 'the bullying threats of the sturdy paupers' to obtain money from Parish officers, represented all that was wrong with the Old Poor Law.[160]A further aspect of this might be seen in the excessive costs in the wages of the personnel running the House of Industry which were listed as a massive £1830 per annum, compared with the £326 per annum of the admittedly smaller neighbouring House of Industry belonging to the Mutford and Lothingland Incorporation.[161]

Whilst the Incorporations therefore had features which the architects of the New Poor Law wished to see, such as the sharing of costs over a wider area to bring down the poor rate, and a more centralised body of control, they also had severe deficiencies; they were often inefficiently run with over-generous diets as reformers saw it, and had more comfortable conditions than would provide a stimulus to go out and seek work. Nevertheless, the fact that so many Incorporations already existed in Suffolk, in effect providing ready- made Unions, and workhouse buildings suitable to the purposes of

[159] Mott in 1st Annual report of the Poor Law Commissioners 1835.
[160]TNA, MH/32/56: Mott to Poor Law Commissioners Jan. 1835.
[161] *Ibid.* Jan. 1835.

the reformers, meant that there already existed a basic blueprint for the new system. Paradoxically however, the fact that some of the Incorporations felt that their systems already worked well, made them resistant to any kind of change.

The Introduction of the 1834 Act in Suffolk

The first hint that the incorporated Hundreds were to provide the basis for reform in Suffolk, came in a report to the Poor law Commissioners by Charles Mott, the first Assistant Poor Law Commissioner for Suffolk, stating that 'the incorporated Hundreds provided every facility for carrying into immediate operation the full measures of the New Poor Law;'[162] these features have been identified by Anne Digby as a 'union of parishes rated for a common workhouse for indoor relief of the able-bodied' and the 'administrative device of an elected body' that supervised its officers.[163] In addition the Incorporated Hundreds also covered almost half the county, and it seems unlikely that the reformers would wish to dismantle such an appropriate ready-made structure, in spite of their shortcomings.

However, the co-operation of the Incorporations to conform to the new act was not guaranteed. Their existence was protected by local acts which prevented them being dissolved without the agreement of two thirds of their Boards of Guardians and Directors. Having successfully reduced their costs by creating Incorporations, there was also a feeling in some areas that the new law was unnecessary. Coupled with a lack of enthusiasm for national as opposed to local initiatives, success could not be

[162] TNA, MH32/56: Mott to Poor Law Commission , Dec. 1834.
[163] Anne Digby, *Pauper Palaces,* p.52.

assumed.[164] As an astute operator however, Charles Mott, the local Assistant Poor Law Commissioner, was well aware of the problems and stated his intention of moving forward 'by care, firmness and by gradual steps' (his emphasis).[165]

Given that the structure of the Incorporations had been chosen as the basis for Unionisation, it is perhaps unsurprising that it became the key factor in influencing the final configuration of the Poor Law Unions; this was true particularly in the centre and east of the county, where common boundaries of Incorporations limited any possible change in structure. In addition, where non-incorporated parishes lay between Incorporations, this too determined the size and shape of the new Union; thus the twelve parishes of Ipswich, being surrounded by the Incorporations of Samford, Bosmere and Claydon, and Carlford and Colneis were automatically forced into a Union.

The capacity of the Houses of Industry, at 400-500, was more than was needed for the number of parishes included in the Incorporation, and Dr Kay suggested in the *Second Report of the Poor Law Commissioners* 1836, that about a further 20 parishes should be added to each Incorporation to create new Unions. The principle of extending the area covered by the large Houses of Industry is confirmed in a letter from Kay to the Poor Law Commissioners, in which he stated that 'much further interference' was needed in the Incorporation of Carlford and Colneis as there was 'ample workhouse

[164] David Roberts, *Victorian Origins of the Welfare State*, p.22 states that most Englishmen in 1831 looked with disfavour on increasing central government, 'they wished no new agencies, no expensive Commissions and no bothersome interference.'
[165] TNA, MH32/56: Mott to Frankland Lewis, 13 Jul. 1835.

accommodation in the House at Nacton.'[166] Ultimately, it was to be combined with some of the parishes from the old Wilford and Loes Incorporation, as well as Woodbridge and Charsfield to create the new Woodbridge Union. (see map 2) However, given that many of the existing Incorporations were contiguous, preventing expansion, the problem of the over-large workhouse (in the form of the House of Industry) remained in some areas such as the Stowe Union.

County borders were to prove a negligible factor in determining the shape of new Unions, some of the Hundreds lying on the Suffolk borders readily agreeing to combine with those of surrounding counties; on the 7th October 1835, it was reported in the *Bury and Norwich Post* that Mildenhall was to be the centre of a Union 'with some parishes from Cambridge', whilst another was to be created in the Risbridge Hundred together with parishes in Essex. The processes by which these Unions were achieved, had considerable local input, Kay presumably realising that local support was more likely to ensure their smooth running. At a meeting at Ixworth in November 1835, it emerged in discussion that several of the northern parishes wanted to be united with Thetford, where Sir Edward Parry, the Assistant Poor law Commissioner for Norfolk, was currently arranging a Union. Following a meeting of the owners of property in Thetford and the adjacent hundreds in Norfolk and Suffolk, it was decided that a number of parishes in Suffolk would be combined with those in Norfolk to create the Thetford Union, whilst others would be united with the Stow and Hartismere

[166] TNA, MH32/48 : Kay to Poor Law Commission Aug. 1835.

Unions.[167]County boundaries therefore had clearly little influence on the structure of Unions in Suffolk.

In some areas of the country, large landowners were thought to have considerably influenced the delineation of Union boundaries. Brundage notes that in the County of Northamptonshire, many landed families were able to negotiate with the Assistant Poor Law Commissioners the nature of boundaries to include their own lands, even though this did not fulfil structures required by the Poor Law Commission.[168]Thus, Brundage argues that the New Poor Law brought added power to the landed gentry, not only through influence in shaping boundaries, but also in their role as magistrates and therefore *ex officio* guardians, in exerting control through the rest of the guardians who were largely made up of their tenants.[169] The system he claims was therefore introduced by, and for large landowners. Dunkley, however has challenged this view, in relation to other counties, claiming that Northamptonshire had an unusually large number of large landowners and that in general the New Poor Law reduced rather than strengthened their power.[170]

The situation in Suffolk appears to have followed the Dunkley model initially, rather than the Brundage one, with large landowners having little effect on the formation of poor law Unions here, their support often appearing to have been won over by the

[167] *Bury and Norwich Post* 11 Nov. 1835.
[168] Anthony Brundage, *The English Poor Laws,* p.72 notes that the Spencers in the Brixworth Union, the Cartwrights in the Brackley Union, the Knightleys in the Daventry Union and the Fitzwilliams in the Peterborough Union were all accommodated by the structure of Union boundaries.
[169] N.Verdon, 'Hay, hops and harvest: women's work in agriculture in nineteenth century Sussex,' in N. Goose (ed.) *Women and Work in Industrial England: Regional and Local perspectives* (Hatfield,2007) p.79 cited in Shave, *Pauper Policies,* p.9 which also states that in the west of Sussex, there was a high concentration of large landowners who had 'huge influence' over the parishes of the County.
[170] Peter Dunkley, *The Crisis of the Old Poor Law in England* 1795-1834 (New York, 1982).

persuasion of Dr. Kay. Significant landowners such as Lord Euston and the Earl of Stradbroke were quickly brought on side, as was Sir Philip Broke, a key figure in the Woodbridge area. A meeting to put forward the plans of the Poor Law Commissioners reported in the *Bury and Norwich Post* on the 16 September 1835, was stated to be 'so satisfactory that Sir Philip Broke (originally opposed to the New Poor Law) was the first to sign consent to the disincorporation of the Hundred' (of Carlford and Colneis) in preparation for the creation of the new Union.

The role of Kay as a whole, was seen by Anne Digby in Norfolk, as having the greatest effect on the influence and speed with which the New Poor Law system was implemented between 1836 and 1838. She states that he 'possessed the necessary drive, eloquence and political agility to implement the new law in the county.'[171] This was demonstrated in August 1835, when a meeting was held in Sudbury, between the guardians of the Sudbury Incorporation and Assistant Commissioners Charles Mott and Dr. Kay. The meeting was for the purpose of forming a Union of Sudbury with several other parishes under the New Poor Law. Several guardians were against the move, and spoke of the financial savings already made, and those likely to be made in the coming year. Following a speech in support of the act by one of their number, there was 'a very angry altercation', during which several of the guardians of the Incorporation left the room. At this point, Dr Kay responding in conciliatory tones gave a 'very sensible address', stating his wish to give every assistance that he was able, chiefly with the migration of workers to Lancashire, and the meeting was postponed until the following

[171] Anne Digby, *Pauper Palaces,* p.77.

week to allow for further consideration.[172] His persuasion was clearly sufficient since an entry the following week in the *Bury and Norwich Post* merely announced the abrogation of the local act, to allow the Poor Law Commission to form a Union.[173] Both Mott and Kay had been at pains to state the freedom of action of the Sudbury Incorporation, though also to stress the advantages of Unionisation.

In addition to the qualities claimed for Kay by Digby, lies his work-rate commitment. His letters to the Poor Law Commissioners, on October 5 and 10 indicate a punishing schedule; the former showed that in the previous few days he had visited Stowe to examine their books, examined the workhouse at Bury, as well as attending meetings of the Board of Guardians in the new Unions of Sudbury, Ipswich and Bosmere and Claydon. By 10 October, he had also met with guardians in the Woodbridge and Plomesgate Unions and attended a public meeting at Haverhill, which he addressed for two hours.[174]Though these comments are perhaps somewhat self-congratulatory, Sidney and Beatrice Webb, (no slouches themselves in terms of work rate) attest to Kay's 'devotion and zeal.'[175]

By January 1836, the efforts of Dr Kay had borne considerable fruit; the consent of two thirds of the guardians, required for changes in the existing Incorporations, had been achieved in all but three areas.[176]The first of the Incorporations to accept the New Poor Law, Blything and Wangford, were in the northern part of the county, first visited

[172] *Bury and Norwich Post,* 12 Aug. 1835.
[173] *Ibid.* 19 Aug. 1835.
[174] TNA, MH32/48: Kay's letters to the Poor Law Commission.
[175] Sidney and Beatrice Webb, *English Poor Law History,* p.261.
[176] The exceptions being, Mutford and Lothingland and Samford Hundreds Incorporations, and the town Incorporation in Bury St. Edmunds.

by Charles Mott. The Guardians of Wangford reported in their meeting of 23 April, 1835, only eight months after the passing of the Poor Law Amendment Act, that the guardians 'place themselves under the control of the Poor Law Commission.'[177] The proposal was carried by a large majority. The much-criticised Blything Incorporation followed suit two days later, when there was a special meeting of guardians at Bulcamp House (the House of Industry) 'to take into consideration the propriety of placing the management of the poor under the provisions of the Poor Law Amendment Act.' Again, the proposal was accepted by a large majority.[178] Four of the remaining Incorporated Hundreds were also to disincorporate themselves between August and October 1835; Cosford, regarded by its president the Reverend Frank Calvert as a 'particularly unruly' Incorporation, dissolved itself on 1 August, 1835 with Bosmere and Claydon following on 14 August. [179] The vote of the latter was recorded in the guardians' minute book where they requested the Poor Law Commission to 'take such measures for placing the Hundred under the control of the Poor Law Amendment Act as to them may seem expedient.'[180]Far from there being any opposition to the new law, there was almost a palpable feeling of relief in relinquishing their powers to the Poor Law Commissioners. The dissolution of the Loes and Wilford Incorporation in 1827, after becoming financially unviable, perhaps explains the readiness with which most of the Incorporations submitted to the new law. The remaining two Incorporations to fall in line with the new laws were Carlford and Colneis, (to become

[177] SRO(L), 36/AB1/56 Wangford Guardians' Minute book 23 April 1835.
[178] *Bury and Norwich Post,* 6 May, 1835.
[179] Workhouses.org.uk. Cosford Union.
[180] SRO(I), ADA2/AB1/1 Bosmere and Claydon Guardians' Minute Book 14 Aug., 1835.

the new Woodbridge Union) where the vote to conform was unanimous, and Stow, which proved equally obliging.[181]

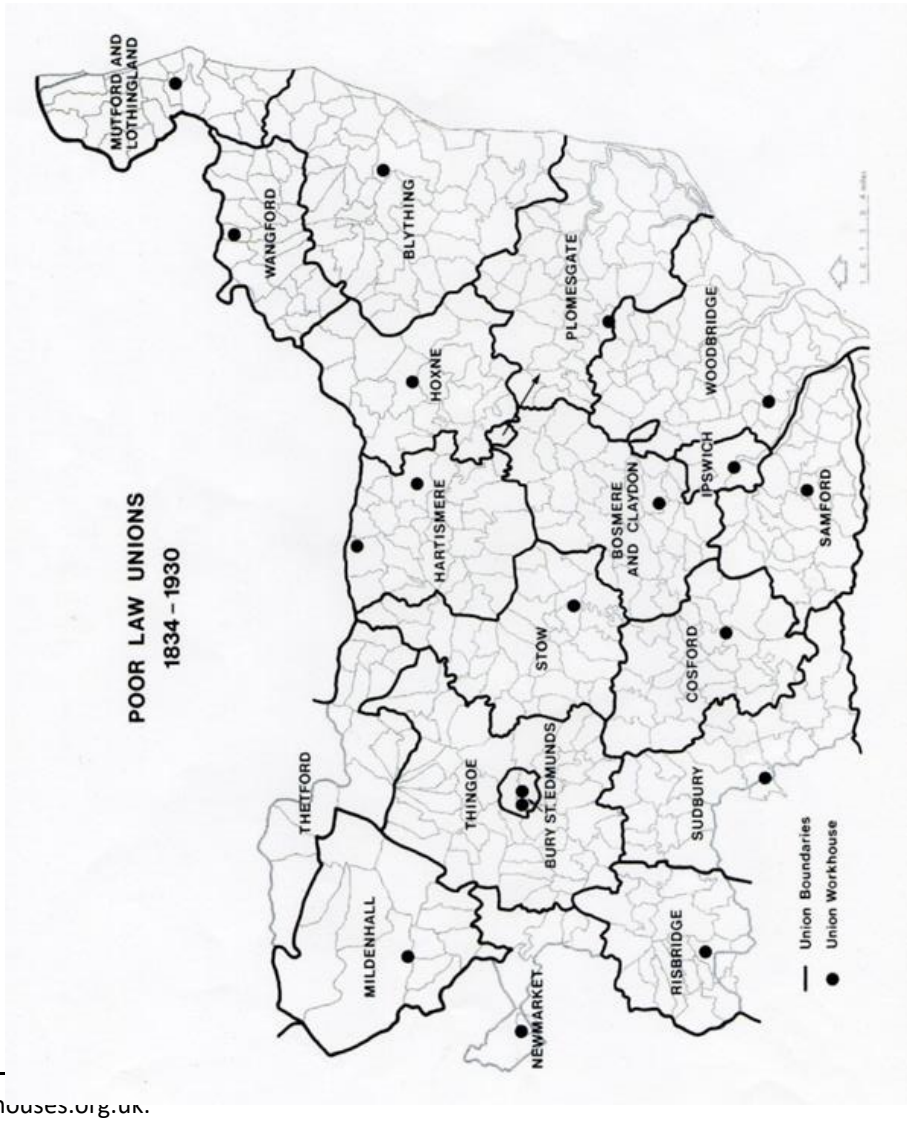
In the meantime, a parallel development of Unionisation was occurring in non-incorporated areas. The shape of the Ipswich Union was totally determined by the nature of the surrounding hundreds, Ipswich itself consisting of an island of 12 separate parish workhouses in a sea of incorporation. Conveniently, however, its population amounted to just over 20,000, the figure the Poor Law Commission saw as an optimum number for the New Poor Law Unions. Nor was there any reluctance amongst the local businessmen, who were mainly to form the Board of Guardians, to conform to the new law. Its chairman, William Rodwell, a banker and later mayor in the town, had shown his commitment to reform as early as 1822, when he had been a signatory to a report recommending the consolidation of the parish workhouses under Gilbert's Act, as a means of checking the growth in the poor rates.[182] The new guardians were therefore fully co-operative and were in operation by early September 1835.

The northern hundreds of Hoxne and Hartismere had also shown early interest in reform in the local Act of 1779, though they had been unable to raise the funds required for a House of Industry. Now, they readily embraced the Poor Law

[181] *Bury and Norfolk Post* 23 and 30 Sept. 1835 .
[182] SRO(I), 362.509 Report of the Committee on the Poor and the Workhouses in the town of Ipswich 1822.

Amendment Act, perhaps induced to do so by their very heavy costs (even by Suffolk standards) of £1.6.3d and £1.1.6d respectively per head of population.[183]

Parishes in the west of the county were the last to become unionised, largely because they were the latest to be dealt with by Kay, but also because they had a more complicated structure, requiring cross-county co-operation. Nevertheless Mildenhall and Risbridge had been unionised by early October 1835[184] and Thetford and Newmarket by November and December respectively.



[183] Workhouses.org.uk.
[184] *Bury and Norwich Post* 7 Oct 1835 and Workhouses.org.uk.

Dymond and Martin, *An Historical Atlas of Suffolk* p.99.

The two market towns of Sudbury and Bury St. Edmunds provided a different problem to the Poor Law Commissioners. Both had become incorporated towns, in 1702 and 1747 respectively, and jealously guarded their independence. From the Poor Law Commissioners' point of view, they covered too small an area to form separate Unions and it was envisaged that they would combine with surrounding hundreds to create more viable units. Sudbury quickly co-operated; the Court of Guardians for the borough were reported to have 'met Dr. Kay and agreed to abrogate their local act for the management of the poor and to form a Union of parishes under the New Poor Law' by the end of August 1835.[185]

Bury St. Edmunds however, was to provide a much more difficult problem to solve. The plan of the Poor Law Commissioners was to base the new union round Bury to include all of Thingoe Hundred, the parts of Thedwastry Hundred not included in Stow and parts of Blackbourn Hundred not joined to Thetford. The *Bury and Norwich Post* remained in the (vain) 'hope that our fellow townsmen are disposed to give their zealous assistance to the Poor Law Commission in its laborious efforts to ameliorate the conditions of the poorer classes.'[186] Disagreement over what might actually constitute the Bury St. Edmund's Union, is reflected in the varying wording of advertisements in the *Bury and Norwich Post* by aspirants for the post of Clerk for the proposed new Union. Charles Hinnell offered himself as clerk for the proposed Union of 'the parishes surrounding Bury' …..' together with that town' which may well have

[185] *Ipswich Journal,* 29 Aug. 1835
[186] *Bury and Norwich Post,* 11 Nov. 1835.

been that proposed by the Poor Law Commission. Others were less certain of this outcome, Richard Durrant's advertisement suggesting that the Union was to be made up of only 'parishes immediately adjoining Bury St. Edmunds,' whilst James Spark applied for the post in the 'proposed Union of the Hundreds of Thingoe and Thedwastry', again with no mention of the inclusion of Bury St. Edmunds in the Union.[187] A new Union, the Thingoe Union, was finally established in January 1836 in the parishes surrounding, (but not including) Bury St. Edmunds; this comprised the Thingoe and Thedwastry Hundreds and some parishes from the Blackbourn and Risbridge Hundreds, to create a unit of over 18,000, close to the size favoured by the Poor Law Commissioners.

By the beginning of 1836, three areas in Suffolk, Mutford and Lothingland, Samford and Bury St. Edmunds lay outside the Unionised and uniform system which the Poor Law Commissioners had aimed to create. In the incorporated Hundreds of Mutford and Lothingland, and Samford, this was less of a problem, since they initially conformed to many requirements of the new law. Bury St. Edmunds however, was to remain more independent and hostile. Dr. Kay gives some insight into the reasons why Samford Incorporation stayed outside the New Poor Law; in a report to the Poor Law Commissioners he stated that there had been 'a tendency to oppose the law …. among a few of the "tiptop" farmers who are at present dignified with the position of

[187] Advertisements occurring regularly in *Bury and Norwich Post* between November and December 1835

Directors in that Hundred.'[188] Kay believed that such opposition would eventually be overcome, given that he had the support of the gentry and magistracy.

However, an earlier view expressed by Mott, suggested that there was a case for leaving Samford outside the New Poor Law. The Incorporation already demonstrated, he stated, many of the features which they hoped that the new unionised workhouses would adopt. He felt it to be 'better conducted than any workhouse which he had visited for some time', requiring only ' a somewhat more precise method of classification, reduced dietary and other minor changes to render it a good specimen of workhouse management.'[189] Though not commented on by either Mott or Kay, Samford also boasted the lowest costs in the county, at 4/5d per head of population, (although the population of the Incorporation was fairly small at 11,747.)[190] Under such circumstances, it is not surprising that Mott was 'of the opinion that the management of the Hundred is generally so creditable that it ought not to be interfered with in any other way.' The decision was, in any case, taken out of the hands of the Commissioners, when the Directors and Acting Guardians at Samford, at a special meeting held to 'consider the current system of managing the poor and the Incorporation ……..resolved unanimously, that 'it is not the wish or desire of this meeting to dissolve the present corporation.'[191] In practice, this made little difference, with the Incorporated Hundred remaining unfailingly co-operative with the Poor Law Commissioners; in its advertisements for tenders for supplies, the phrase 'subject to

[188] TNA, MH 32/48 :Kay to Poor Law Commission 24 Jan. 1836.
[189] *Ibid.* Aug. 1835.
[190] Workhouses.org.uk
[191] SRO(I), ADA7/AB1/3 Samford Guardians' Minute Book, 10 Oct. 1835 .

any alteration or amendment which may become necessary in consequence of any order from the Poor law Commission' was invariably added,[192] and as late as 1844, White's Directory commented that although a Corporation of Guardians or Overseers still existed in their original form , 'they acted in conformity with most of the provisions of the New Poor Law.' The Samford Hundred was finally to become a Poor Law Union under the terms of the Poor Law Amendment Act, in 1849.[193]

Like Samford, the Mutford and Lothingland Incorporation was held up as an example of the good practice which the Poor Law Commissioners wanted to achieve; its running costs were low, at 5 shillings per head of population compared with 18 shillings and 25 shillings in the neighbouring Incorporations of Wangford and Blything. In addition, the Directors and Acting Guardians exercised tight control over the Overseers, with decisions on relief being exercised solely by the Guardians and Directors themselves. This it was felt had two advantages; it acted, Mott maintained, as 'a preventative to local influence and favouritism,' a charge frequently brought against overseers , because it was known that they were not responsible for the outcomes. In addition, the guardians would not be influenced by direct tales of pauper distress, and decisions on relief would be on a more objective basis.[194] The guardians themselves, also attributed their success to the fact that 'they (had) been enabled, by due caution, to avoid any interference on the part of the Magistrates.'

[192] *Ipswich Journal,* 26 Dec. 1835.
[193] Workhouse.org.uk
[194] TNA, MH12/11906 : Mott's report on Mutford and Lothingland 1835.

In terms of other requirements of the New Poor Law however, Mutford and Lothingland fell short in a number of respects; there was no classification or segregation of different groups within the workhouse, diet was considered 'profuse' at 211 ounces (cf. 122 ounces for independent labourers) and the House of Industry was less than half full with 186 inmates out of a possible 410.[195]

There were early suggestions however, that the management of Mutford and Lothingland was not entirely ready to capitulate to the demands of the new act. Though they were ready to 'respectfully submit' to suggestions of the Poor Law Commissioners, they believed that since their system had gone so well, 'any change might be detrimental.' [196] Whilst the master and matron of the house appeared 'very desirous of carrying any alterations into effect which may be judged advisable,' the guardians demonstrated a more independent spirit by challenging the rules of the central Commissioners and submitting their own. Relations went from bad to worse when Mott hinted to one of the Directors, Mr. Everitt, that both the surgeon and clerk were underpaid. He was told in no uncertain terms not to interfere, 'or moot the question of remuneration to our paid officers. We have gone on extremely well with the present salary.'[197] Such differences of opinion appear to have brought an end to any chance of disincorporation and acceptance of the New Poor Law, since no further mention is made of it in the records until 1844, when White's Directory states that 'notwithstanding the passing of the general Poor Law Amendment Act,' the Mutford

[195] TNA, MH12/11906 :Remarks on the management of Mutford and Lothingland from Mott to Poor Law Commission 1835.
[196] TNA, MH12/11906: Guardians to Chadwick 13 Jan 1835.
[197] TNA, MH12/11906 :Mott to Poor Law Commission 6 July 1835.

and Lothingland Incorporated Hundred 'still continues under its own local management, the Board of Guardians adopting only such suggestions, made by the Poor Law Commissioners, as they think useful and necessary.'[198] Whilst the Incorporation of Mutford and Lothingland therefore appears to have co-operated with the Poor law Commissioners, it seems largely to have been on its own terms and in a much less cordial manner than Samford. The local act continued to prevail until March 1893, when the Incorporation was finally dissolved and became a Poor Law Union under the terms of the Poor Law Amendment Act.

On the 7 October, 1835, the *Bury and Norwich Post* announced that the process of creating poor law Unions throughout the county was proceeding 'very fast' and by January 1836, Kay was claiming optimistically that he 'had paved the way in Bury St. Edmunds to secure the co-operation of the existing guardians' after which the county would be complete. However, this was to be far from the case. The key sticking point from Bury's point of view, was that the plan to merge them into one Union with the surrounding parishes, clearly assigned them a position of reduced importance, Bury itself only qualifying for six guardians which put them in a minority.

The failure to reach an agreement with Bury had led to the separate formation of the Thingoe Union at the beginning of 1836 (as already shown), but Bury apparently still needed reassurance that they would not be forced to join it. A stormy meeting was reported on July 20, 1836 by the *Bury and Norwich Post*. The meeting had been convened solely between Kay and the Guardians, supposedly for the purpose of

[198] White's Directory 1844, p. 481.

applying the New Poor Law, but the public, (variously referred to as 'rate-payers and rate-receivers,' 'the people' part of whom consisted of a 'rabble') found out and insisted on attending. Although Kay was able to persuade them to withdraw whilst details were discussed, they later invaded that meeting too. A clear indication of their concerns is demonstrated by the announcement made to them, by the Vice Governor and Chairman, Mr. Newby, that he had been assured by Dr. Kay 'that there was no intention of uniting the town with the neighbouring parishes.'

This jealous guarding of their independence, by Bury St. Edmunds, was shown a number of times over the next couple of years during abortive attempts to bring the town under the new law. On August 20 1836, the *Suffolk Chronicle* reported on an election meeting of the old guardians, where they had been returned unopposed. Mr. Leach, who had been responsible for putting forward many of the candidates, commented that 'should the new Bill come into effect in Bury, it would be in the mildest manner possible.' In similar vein, the main seconder of the candidates, Mr. Battley, responded that they 'wouldn't suffer Dr. Kay to dictate to them,' as there was no need for it when they had their own Mayor.[199] The same sentiments were still being expressed almost a year later when the Unionisation of Bury was still under discussion. On April 1, 1837, the *Bury and Norwich Post* reported on a meeting 'held for the purpose of discussing the repeal of the Bury Workhouse Act ……. an issue which had come before the Guardians many times.' Their reasons for resistance become clear, when they referred to themselves as, 'an ancient and established body,' clearly bent

[199] *Suffolk Chronicle*, 20 Aug. 1836.

on maintaining that position.[200] Again, their fear of being dominated by surrounding parishes was expressed, in that they saw themselves falling 'under the shadow of the Thingoe House,' having only six guardians representing two to three thousand ratepayers each, whilst the Thingoe guardians each represented two to three hundred. Such sentiments were to remain constant over the next fifty years, with Bury remaining outside the requirements of the New Poor Law, the Commissioners being unable to gain the two thirds majority required for the abrogation of the old Incorporation. Although a new workhouse was built in Bury St. Edmunds for the Thingoe Union, the paupers of Bury continued to be served by the old workhouse. Only after 1880 did the Thingoe workhouse come to serve both communities.

Opposition in the 'new' unions

If the pattern of administration of the New Poor Law in Suffolk had been largely settled by the beginning of 1836, it was far from being accepted by those whose lives it most deeply affected, the paupers. There had been some early threats of resistance in the Hoxne Union, at Stradbroke, in the north of the county, where according to Edsall, 'the Assistant Commissioner encountered far more than the usual degree of opposition.' In the Cosford Union, just west of Ipswich, he also states that 'the governor of the workhouse was assaulted by eight of the inmates.'[201]Edsall goes on to state that this might have been seen as a prelude for what was to come, had the Assistant

[200] Robert Colls, *Identity of England* (Oxford, 2002), p.22 In standing out for its liberties, Bury is referring to a concept defined by Colls amongst other things as, the upholding of local privileges, which ideas he states, had developed from the beginning of the eighteenth century and 'were gradually adopted as the hallmark of the British state.'

[201]TNA, MH12/11837 Hoxne Union, Jan and May 1835. MH12/11793, Cosford Union, Jan, Mar, and Apr.1835 cited in Nicholas Edsall , *The Anti-Poor Law Movement*, p.34-5.

Commissioner Charles Mott not been replaced at that point by Dr. James Kay. However, there seemed nothing at the time to indicate that the opposition in Stradbroke was anything unusual, the newspapers being full of letters opposing various aspects of the New Poor Law, particularly segregation. Similarly, the attack on the master in the Cosford Union was not a new event; there had been a consistent campaign of intimidation of the master by some of the more unruly inmates of the house for some time. In other Unions violence was almost endemic; in July 1835, Mott wrote to the Poor law Commissioners that paupers in the parish of Thorndon in the Hartismere Union were 'so violent that it is not improbable that some attempt at disturbance may take place.'[202]

Such disturbances did indeed take place, a more widespread reaction to the New Poor Law beginning in the winter of 1835. Since winter was traditionally the time when most paupers were thrown on to the poor relief system, it seems unsurprising that more serious attacks occurred then. One of the key triggers appears to have been the introduction of relief payments in kind, rather than money, and the offer of the workhouse where this was refused, a central feature of the New Poor Law. On the 7 October 1835, in the lawless parish of Thorndon, it was reported that an attempt was made 'to resist the operations under the New Poor Law,' when four men threatened the relieving officer, who was distributing relief in a barn, demanding their usual pay. From there, the situation escalated, with a warrant out for their arrest. Ultimately a mob of 200 proceeded to the house of the magistrate, declaring the men 'shouldn't go

[202] TNA, MH32/56 : Mott to Poor Law Commissioners, 24 July 1835.

to gaol.'[203] The events that followed, were to become a familiar pattern, with a number of special constables sworn in and the yeomanry standing by.

More widespread acts of violence were to follow, commencing with the attacks on St. Clement's workhouse in Ipswich on the 16 December.[204] Much opposition had been expressed in the local newspapers to the segregation clauses of the new act, and it seems likely that it was the tangible expression of segregation now being created by the building of dividing walls in the old workhouse, which was the trigger for violence. Attacks were made on the workhouse by a group of men with a 'ponderous fire-crow' taken from the quay, the situation escalated and order was only restored after the Riot Act had been read and the Inniskilling Dragoons called out from the local barracks.

Over the next week, unrest was to follow in a number of other Unions. In a letter from Kay to the Poor Law Commissioners, on 24 Dec., headed 'Disorder,' he stated that there had been outbreaks or threats of violence in a number of the new Unions; in the parish of Combs, 'he had gained intelligence of possible riots' and a march on the Stowe Union House. In the Cosford Union, one hundred special constables had been sworn in at Semer, and by 26 December Kay had also placed police at Bulcamp in the Blything Union, Wickham Market in the Plomesgate Union, and Barham House in the Bosmere and Claydon Union - a sure indication that he feared trouble in those places

[203] *Bury and Norwich Post*, 7 Oct. 1835.
[204] *Ipswich Journal* and *Suffolk Chronicle,* 19 Dec. 1835.

too.[205] However, in the same letter, he claimed that, although they had been given 'a busy week,' opposition to the New Poor Law had been 'defeated everywhere.'

From the beginning of 1836, Kay was therefore able to focus on the success of the introduction of the New Poor Law in Suffolk. Although promoters of the new act might claim that 'the improvement of the working classes is the great end which is proposed,' its measure of success was more often proclaimed in financial terms. [206] Thus in May 1836, the *Norwich and Bury Post* was reporting triumphantly that the poor rates in the Woodbridge Union had been reduced from 3/6d in the £, to 1/6d in the last quarter i.e. since the operation of the New Poor Law.[207] In addition, in the county as a whole, they stated that there were already savings of 40%, a fact that would clearly appeal to the ratepayers. [208] A further measure of success in contemporary terms, would also have been seen in the restoration of law and order amongst the poor and a return to deference. The highly troubled Cosford Union was now considered to be peaceful, and it was the unanimous view of the guardians that 'idleness and indolence had given way to industry, civility and a desire to please.'[209]

From a variety of aspects therefore, the new act appeared to be largely established and successful in the county of Suffolk, from the point of view of the ratepaying classes. For those on the receiving end of the new law, their views remain more elusive.

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[205] TNA, MH32/48 : Correspondence between Kay and Poor Law Commissioners 24 and 26 Dec. 1835 .
[206] *Bury and Norwich Post,* 22 Oct. 1834.
[207] *Ibid.* 4 May. 1836.
[208] *Ibid.* 17 Aug.1836.
[209] *Ibid.* 26 Oct. 1836.

Conflict and the development of poor law policy in Suffolk

As in the rest of the country, in Suffolk too there was also considerable conflict between local Boards of Guardians and the central authorities. Such conflict often had the effect of moderating policies or at least delaying them. As already shown, three Incorporations introduced by local acts chose to stay independent of the New Poor Law. However, they largely followed the terms laid down by the Poor Law Amendment Act and their frequent correspondence with the Poor Law Commissioners often showed a readiness to conform. In other Unions however, there was greater conflict between Boards of Guardians and the Poor Law Commissioners, demonstrating clearly that central policy would not be meekly accepted where it clashed with local interests. Nowhere is this better seen than in issues concerning the provision of relief to the able-bodied.

Abolition of outdoor relief for the able-bodied as a uniform policy was a main tenet of the New Poor Law, but local discretionary powers of distinction between the deserving and undeserving died hard, and disagreements between the local Boards of Guardians and the Poor Law Commissioners were common. Initially, most Unions had supported the move to a uniform denial of outdoor relief to the able-bodied, it having been demonstrated that considerable savings could be made to the ratepayers by doing so. In July 1836, Dr. James Kay, the Assistant Poor Law Commissioner for Suffolk, stated that in most of the Unions that had been in progress for six months, outdoor relief for the able-bodied had ceased.[210] However, this was far from the case, though given his

[210] SRO(I), ADA2/AB1/3 , Bosmere and Claydon, Guardians' Minute Book, Jul. 1836.

involvement in the New Poor Law, it was clearly in his own interests to emphasise its success.

It quickly became apparent however, that a policy of withdrawing outdoor relief from the able-bodied brought its own problems. The system always suffered greater pressures in the winter, with seasonal unemployment throwing larger numbers on relief. The Ipswich Union learned very early on that it made little sense to incarcerate whole families in the workhouse for a situation not of their making. Between 1840 and 1844, a large number of strongly worded letters were sent by the guardians to the Poor Law Commission concerning a number of able-bodied men. On 19 December, 1840 they referred the case of David Mudd to them. Mudd, was an able-bodied sawyer of 45 years of age, with an able-bodied wife of 40, and three children of 8, 5, and 3 years old. The Board of Guardians argued that to deny outdoor relief would lead to 'serious evil' (though they didn't specify) to the applicant and his family.[211] The following January, the Board of Guardians sent an even more strongly worded letter to the Poor Law Commissioners urging the cases of George Shepherd, James Cook, Benjamin Lambley and John Green for a departure from the prohibitory order (DPO) on outdoor relief. The Ipswich Board again stated that there was a lack of employment due to the weather and referred to the 'industry, exertion and sobriety' of these men.[212]The Poor Law Commissioners however, remained obdurate, allowing outdoor relief for only a week at a time, and following that, at least part of the families to be offered to the workhouse. As late as 1855, the Ipswich Union were still stating to

[211] SRO(I), DD1/28/2/3, Ipswich Guardians' Minute Book, 19 Dec. 1840.
[212] SRO(I), DD1/28/2/3, Ipswich Guardians' Minute Book, 9 Jan. 1841.

the central authorities (now the Poor Law Board), their difficulty in carrying out the law as it stood, because of a large number of applications for poor law relief from 'hardworking industrious men with large families, who are prevented from going to work in consequence of the inclemency of the weather.'[213]

However, added problems were now experienced since the new law also prevented outdoor relief even to those in work, whose earnings were insufficient to maintain their families. It made little economic sense to local Boards of Guardians to remove such individuals from the labour market by sending them to the workhouse rather than providing outdoor relief. The Newmarket Union commented on the 'mischief which in the opinion of the board would be occasioned by taking able-bodied men, in receipt of full earnings from the service of their employer.'[214] The Samford Union was even more vociferous in exposing the economic weaknesses of the system, stating that they could not 'with justice to the ratepayers, or with advantage to the labourers themselves adopt a system of relief which if generally acted upon, would have the effect of indiscriminately admitting to the workhouse large numbers of children of independent able-bodied labourers.' The effect they believed would be not only to pauperise the labourer and his family but to impose increased costs on the ratepayer.[215]

In such situations the Boards of Guardians, largely made up of farmers in rural areas, clearly felt that the use of local judgement was both necessary and desirable. In

[213] SRO(I), DD1/28 /2/8 , Ipswich Guardians' Minute Book, Feb. 1855.
[214] SRO(B), 611/12, Newmarket Guardians' Minute Book, 27 Nov. 1838.
[215] SRO(I), ADA7/AB1/11, Samford Guardians' Minute Book, 2 Feb. 1854.

November 1836 the Bosmere and Claydon Union had resolved to 'treat individual cases with discretion,' an act which contravened both the letter and spirit of the New Poor Law.[216] By September 1840 the Ipswich Union too had clearly not conformed to the requirement for the prohibition of outdoor relief to the able-bodied, since the Poor Law Commissioners felt it necessary to issue a letter requesting that relief to able-bodied males and females should cease from the first of October. Feelings ran sufficiently strongly on the issue for Mr. Burrowes, one of the guardians, to suggest that a memo be sent to the Poor Law Commissioners, stating that if the prohibitory order on outdoor relief was not withdrawn, the Board would dissolve itself. Though the threat was not carried out, Ipswich was still adopting the same standpoint almost four years later when the Board of Guardians voted to send a petition to the House of Commons complaining of the 'oppressive manner in which prohibitory orders on outdoor relief operate on the honest and industrious poor' and asking that 'discretionary powers' be transferred to the guardians.'[217] Meanwhile, the Newmarket Union adopted its own unique way of exercising its discretion; it resolved that 'being thrown out of work by severity of weather or other unforeseen and inevitable causes shall be considered cases of urgent necessity' thus bringing it within the exemptions to the law and thereby evading it.[218]

[216] SRO(I), ADA2/AB1/3 , Bosmere and Claydon Guardians' Minute Book, 15 Nov. 1836.
[217] SRO(I), DD1/28/2/4 , Ipswich Guardians' Minute Book, 6 Jun.1844.
[218] SRO(B), 611/12 , Newmarket Guardians' Minute Book, 23 Jan. 1838.

An argument has also been made for the use of spurious illness as a means of evading prohibitory orders on outdoor relief in six south-eastern counties.[219] When temporarily indisposed, the able-bodied could legitimately obtain outdoor relief from the Board of Guardians by producing a certificate from the medical officer, stating the nature of the complaint. The triviality of the complaints such as 'ill', 'bad toe' and 'indigestion' noted by Digby in the Saffron Walden Union, suggest the connivance of medical officers in gaining outdoor relief for the able-bodied, and the complicity of the guardians in accepting such certificates. The system was also reported to be widespread in the Risbridge and Mildenhall Unions in the west of Suffolk, with guardians trying to find some trifling ailment in the family so relief could be given.[220] Further evidence of the widespread use of such a practice in the region is also suggested by the fact that from 1842-6, in the six Eastern counties, 67% of able-bodied receiving outdoor relief did so as a result of sickness, compared with less than 50% in the rest of the country, although there were no epidemics in the area which might have explained the difference. Chadwick too believed that the practice was common, stating that guardians used 'discretionary powers to relieve the able-bodied in times of sickness in a widespread evasion of the prohibitory order' and although Walsham, (Poor Law Inspector for the Eastern counties) originally denied this, a decade later he too was forced to accept that it was the case.[221]

[219] Anne Digby, 'The Labour Market and the Continuity of Social Policy after 1834: The Case of the Eastern Counties', *Economic History Review,* 8/1 (Feb.1975) p69-83.
[220] *The Times* 24 Jun. – 6 Jul. 1844, cited in *ibid.*
[221] TNA, MH 32/83 Report 7 Jan. 1856.

Though there was no overt retraction of the policy by central authorities of abolition of outdoor relief for the able-bodied, it is apparent that the use of discretionary powers was widespread at local level. To deal with this, the Poor Law Commission developed the face saving device of the Departure from the Prohibitory Order (DPO), which allowed exceptions to the rules to be considered on a case to case basis. The usual response by the Poor Law Commission was to accept local recommendations in the short term but not the long term. Such compromises were necessary on the part of the central authorities since their position had a number of weaknesses. As previously noted, few details had been laid down concerning the working of the New Poor Law system, so the Poor Law Commission had little to rely on in terms of policy formation. Clashes over discretionary powers of local boards were, as shown, common and the Poor Law Commission were forced to compromise if the act was to work at all. In addition it also became clear that the key argument of central authority, of savings to ratepayers by the abolition of outdoor relief to the able-bodied, had been undermined. Far from being reduced, costs gradually rose as workhouses became increasingly overcrowded.

With the loss of its trump card, the Poor Law Commission was thus forced to reconsider its position; on 9 June, 1847, the Woodbridge Guardians noted that the Poor Law Commission sanctioned outdoor relief to eight able-bodied paupers with large families and insufficient earnings, the workhouse being full.[222] Similarly, the policy on admission of whole families to the workhouse also became a casualty of overcrowding; response by the Poor Law Commissioners in the Cosford Union was to

[222] SRO(I), ADA/10/6 , Woodbridge Guardians' Minute Book, 9 Jun. 1847.

sanction taking parts of families into the workhouse, but continue to ***recommend*** that only whole families should be taken in.[223] A similar pragmatic response was given to the Samford Union, where the Poor Law Commission stated that in the case of larger families they would consider providing relief by admitting ***some*** of the children into the workhouse.[224]

The issue of overcrowding and the attendant need for alterations and extensions to workhouses was also to become a significant area of conflict in itself. The local Boards of Guardians, ever mindful of their own position as ratepayers and representatives of ratepayers, determinedly resisted capital expenditure. In the Newmarket Union, a prolonged struggle was to take place over a period of eleven years, over the provision of adequate accommodation. Such accommodation in the Newmarket workhouse had proved problematic almost from its very beginning. Although only completed in 1837, by August 1838 the Poor Law Commission was authorising the 'alteration and enlargement of the workhouse' as well as sanctioning the application for a loan of £800 to pay for it.[225] Such an enlargement however, was also clearly inadequate, since by January 1842 the workhouse was declared full and the Poor Law Commission was forced to accept the provision of outdoor relief for the able-bodied, though at the same time it made the first of many recommendations to enlarge the workhouse further. The following winter, the workhouse was again full, now holding 319, 31 in excess of the regulations. Rather than incur the expense of additional buildings, the Board of Guardians resolved to convert as many rooms as possible into dormitories

[223] SRO(B),DC1/2/6 , Cosford Guardians' Minute Book, 14 Jun 1847.
[224] SRO(I), ADA7/AB1/8 , Samford Guardians' Minute Book, 26 May 1847.
[225] SRO(B), 611/1, Letters from Poor Law Commission to Newmarket Union, Aug. 1838.

during the overcrowding of the winter period.[226] The usual problems occurred again in the following two years and in January 1845, the Poor Law Commission patiently reminded the Board of Guardians of its recommendation to enlarge the workhouse in both August 1842 and December 1843. It was to be February 1847 however, before the Board of Guardians finally accepted plans for accommodating a further 192 inmates at a cost of between £1280 and £1490 depending on materials used, and submitted them to the Poor Law Commission for their approval.

Problems did not end here however; the Poor Law Commission took issue with some of the plans, stating that they didn't allow sufficient capacity to accommodate the extra numbers envisaged. By the time these issues were resolved it was almost the end of July, and the Board of Guardians, apparently getting cold feet over the issue, decided that the season was too far advanced to start building and proposed to postpone its commencement until the following spring. In exasperation, the Poor Law Commission refused to sanction the delay in the proposed enlargement, stating that they felt it their 'imperative duty' to request the Board to take steps for its immediate implementation. The Board of Guardians however remained adamant, and in spring of 1848 asked the Poor Law Board (which had now replaced the Poor law Commission as the central body) for its sanction to abandon the project entirely. The Poor Law Board refused assent to this request and with admirable restraint stated that they hoped the Board of Guardians would 'spare them the painful necessity of taking proceedings for the enforcement of the Poor Law Commission's order of 10 May 1847, by immediately

[226] SRO(B), 611/15, Newmarket Guardians' Minute Book, 21 Feb. 1843.

inviting building tenders.'[227] Such threats were clearly sufficient, since in July 1849, Walsham (the local Assistant Poor Law Commissioner/Inspector) informed the Poor Law Board that 'alterations were almost complete.'[228]

A similar struggle for power between local and central bodies in the creation of policies also emerged in a number of Unions over the issue of officers' salaries. The ever-disputatious Newmarket Union was the first to raise the issue in March 1846, when the Board of Guardians, with only two dissenting voices, declared that salaries were too high and ought to be reduced.[229] The Poor Law Commission rejected the proposal, pointing out that such wages were not above average and were well-earned, the Newmarket Union being deeply pauperised and the workhouse continually overfilled in winter, all of which added to the burden of the officers of the Union. The Board of Guardians replied in strong terms stating that 'we feel ourselves aggrieved at your refusing to comply with our request' and in a characteristic assertion of local power against the central authorities went on to state, 'we do most respectfully request you to sanction the wishes of the large majority of the Board, feeling convinced that it is only justice to the interest we represent.' They conclude, 'if we cannot exercise any power as to the salaries of our officers, or the control of our purse, the sooner we retire and leave the sole management in your hands, the better.'[230]

At this point the issue was not pursued, but was raised again in 1850 around the same time as several other Unions; Cosford in November 1849, Woodbridge in February

[227] SRO(B), 611/3, Letters from Poor Law Commission to Newmarket Union, 17 Jun. 1848.
[228] SRO(B), 611/4, Letters from Poor Law Board to Newmarket Union, 24 Jul. 1849.
[229] Clerk £120-£100, Chaplain £50-£40, Workhouse Medical Officer £50-£40 and the Relieving Officers £120-£100 SRO(B), 611/16 , Newmarket Guardians' Minute Book, 17 Mar.1846.
[230] SRO(B), 611/16 , Newmarket Guardians' Minute Book, 21 Apr. 1846.

1850 and Bosmere and Claydon in March of the same year.[231] The key issue behind the requests to reduce salaries was the depressed state of agriculture and particularly the fall in wheat prices, calculated at 30% from 1835. Since most of the guardians involved were farmers, the Board was clearly protecting its own interests and those of local ratepayers in ultimately looking for a reduction in the poor rate by reducing costs. The response of the Poor Law Board was the same in all cases. They argued, not unreasonably, that since salaries were not raised in 'good times,' it was premature to lower them in bad, and that in any case the economic aspect was only one factor which should be considered when fixing remuneration; others included 'the nature of the office, services to be performed, character and qualifications,' if they were to attract good quality candidates and provide a 'judicious and efficient administration.'[232]

The reply of the Poor Law Board received various responses from the different Unions; Bosmere and Claydon appeared to accept the ruling, since no further comment is made on the subject in the guardians' minutes, and salaries remained unchanged. Cosford Union engaged in a more prolonged discussion but seemed to be content with the Poor Law Board's conciliatory suggestion that should the depression continue, 'such as to affect the average price of the necessities of life,' they would review the situation.[233] In the Woodbridge Union the issue continued to be debated until the beginning of 1851, but eventually they too satisfied themselves with mere verbal

[231] SRO(B), DC1/2/7 , Cosford Guardians' Minute Book, 12 Nov.1849, SRO(I), ADA12/AB1/ 7, Woodbridge Guardians' Minute Book, 20 Feb. 1850, SRO(I), ADA2/AB1/8 , Bosmere and Claydon Guardians' Minute Book, 2 Mar.1850.
[232] SRO(I), ADA12/AB1/7 , Woodbridge Guardians' Minute Book, 5 Jun. 1850.
[233] SRO(B), DC1/2/7 , Cosford Guardians' Minute Book, 17 Jun. 1850.

skirmishing; in response to a letter from the Poor Law Board, 'declining to sanction any reduction in salaries of the present officers of the Union,' the Clerk was instructed to send 'an expostulatory reply,' before the issue was dropped.[234]

Only in the belligerent Newmarket Union was the issue long prolonged, with the determined guardians engaging in a stand-off with the Poor Law Board. The clerk, whose own salary was one of those threatened with reduction, had the job of drawing up the cheques for the guardians to sign every six months. When called upon to do this in October 1850 however, he stated to the guardians that as the Poor Law Board had failed to sanction the reduction in salaries, he felt unauthorised to draw up the cheques for the reduced amount, and saw it as his duty to inform the Poor Law Board of the guardians' actions. The following week, a further letter was sent from the Poor Law Board again refusing to sanction the reductions in salary, and the clerk, as he had been advised to do by the Poor Law Board, made out the cheques for the full amount and put them before the guardians to sign. Their refusal to do so elicited a further response from the Poor Law Board stating that, they hoped that the guardians on further consideration would pay the officers 'their lawful claims and not render it the painful duty of the Poor Law Board to issue an order of an imperative nature on the subject.' The threat had little effect on the Guardians. Even after the Poor Law Board stated that they had no alternative but to 'apply to the Court of Queen's Bench for a mandamus to compel obedience to the Order,' the weekly charade of the clerk producing the full cheques and the guardians refusing to sign them continued. Only on

[234]SRO(I), ADA12/AB1/7 Woodbridge Guardians' Minute Book, 8 Jan. 1851.

the 21st March 1851 did the guardians finally submit to the powers of central authority and sign the cheques for the full amount.[235]

The details of these stories demonstrate all the hallmarks of the struggles between local and national bodies out of which poor law policy and practice was eventually to emerge; strategies of delay and intransigence on the part of the guardians, countered by a rhetoric of initial tolerance but eventual exasperation on the part of the central board and ultimately when all else failed, threats to use the limited powers of law at their disposal. As Peter Wood has noted, 'much depended on the willingness of the individual Union to co-operate.' Some Boards of Guardians became masters of inaction …….by presenting 'alternative schemes' or raising different priorities 'in an effort to delay and possibly evade action.'[236] A similar story is told by Norman McCord in the North East where 'Boards of Guardians in practice retained a high degree of local autonomy in ways in which they were able to handle local affairs, and a high degree of dexterity in frustrating attempts by central authorities to impose uniformity.'[237]

Thus, a number of factors had clearly influenced the development of poor law policy after 1834. A failure to lay down new policies in the Poor Law Amendment Act, meant that they had largely to be determined by the new central authority. Such an authority often ran directly counter to long-established local autonomy, leading to conflict between the two. Though the Poor Law Commission (and later the Poor Law Board)

[235] SRO(B), 611/18 and 19, Newmarket Guardians' Minute Book Mar. 1850-51.
[236] Peter Wood, *Poverty and the Victorian Workhouse*, p.82.
[237] Norman McCord, *North East England* (1979) cited in Wood, *Poverty in the Victorian Workhouse,* p.98.

had the powers to lay down policy through general and special orders, these did not go unchallenged by local authorities over such issues as outdoor relief for the able-bodied, which to some extent, aided by external economic circumstances, they were able to moderate. Anne Digby has noted that 'allowances in aid of wages remained a major support for agricultural labourers in the six counties of Eastern England,' and evidence from the guardians' minute books in Suffolk would certainly seem to support this. [238] Apfel and Dunkley go as far as to suggest that 'directives of central government are seen to have played only a minor part in the formulation of local relief policy.'[239] Though this may be true, it was more of a pragmatic response on the part of central authorities to a worsening economic situation, rather than a capitulation to superior local power; with increased numbers of unemployed and overcrowded workhouses, there was no choice but to accept local solutions of continued outdoor relief. However, over other issues guardians were not so successful in achieving their ends; where central authorities were clearly concerned with wider issues such as workhouse extensions and fair salaries to Poor Law officers, they were able to withstand the pressure of the narrower sectional interests of the guardians, by using the full forces of the law at their disposal. In these cases Boards of Guardians simply resorted to delay.

Ultimately, there were more issues that united than divided the interests of local and central authorities; good and efficient governance of the indigent was in everyone's interests since it brought social control and reductions for local ratepayers.

[238] Digby, 'The Labour Market and the Continuity of Social Policy after 1834'.
[239] W. Apfel and P. Dunkley, 'English Rural Society and the New Poor Law. Bedfordshire 1834-7,' *Social History,* 10/1 (1985),

Increasingly the guardians' minutes show fewer conflicts with central authority, as policies forged through compromise and pragmatism gradually came to be accepted. The result was however, as many local historians have noted, far from the monolithic structure that Chadwick and other architects of the New Poor law had envisaged.

Chapter 4

Power and Authority in the Workhouse

If the Boards of Guardians struggled to assert their authority against that of the central authorities over major issues of policy, they had more scope in the detailed application of policy at a local level. The limited number of officials available to central bodies and their failure to provide a united front, ensured that close control of local bodies was simply impracticable. The Poor Law Commissioners were initially only a small body of three assisted by their Secretary Edwin Chadwick, who was often at odds with those he was meant to support.[240] Their presence was represented in the localities by Assistant Poor Law Commissioners, (later termed Poor Law Inspectors), who were themselves a diverse body consisting on the one hand of brothers of peers such as Colonel Ash A'Court and Edward Boyd Twistleton and on the other, Charles Mott a London contractor for poorhouses.[241] Some of these also found themselves at odds with the Poor Law Commissioners, Mott and Day being sacked by them following disagreements with local Boards of Guardians.[242] Unsurprisingly, they shared Chadwick's doubts about the lack of resolve of the Poor Law Commissioners and complained of the lack of support. Initially there were only nine Assistant Poor Law Commissioners for the whole country and although the number of these and later Poor Law Inspectors rose, it was never sufficient to provide the close supervision required if central authority was really to control policy. As Anne Digby has noted,

[240] George Nicholls, a banker and reformer of the pre-1834 Southwell workhouse, Thomas Frankland Lewis, Welsh country gentleman and Tory MP for 22 years, and John Shaw-Lefevre a talented and successful administrator. Chadwick had to settle for Secretary.
[241] David Roberts, *Victorian Origins of the British Welfare State*, p.154.
[242] Driver, *Power and Pauperism: The Workhouse System 1834-84*, p.35.

their visits were in any case only guaranteed twice yearly thus providing little more than a 'perfunctory check on local initiatives' and sufficient only to keep the appearance of broad compliance with central requirements.[243] It was therefore the Boards of Guardians who were in the strongest position to shape the working of poor law policy at local level, in addition to the workhouse personnel employed by them. The first part of this chapter goes on to examine the ways in which these bodies and workhouse officials handled power and authority in the workhouse, before going on to look at the ways in which inmates of the workhouse could affect their own outcomes.

The role and activities of the guardians

Guardians were elected by local ratepayers owning or occupying property usually worth £25 or more, and were themselves ratepayers. There was some plural voting related to the amount of property owned, creating an electorate of about two million, almost three times that of the parliamentary franchise. At least one guardian was elected for every parish and these sat alongside *ex officio* members, i.e. any magistrates living in the area, to form the Board. Voting took place in the electors' homes, with ballot papers delivered on one day and collected on the next, a system devised to prevent large numbers gathering together, thus avoiding 'the opportunity for excitement and mob pressure afforded by public meetings.'[244]

The position of guardian, if carried out conscientiously was demanding, particularly in the early years. There was a great deal of business to be done, such as the

[243] Digby, *Pauper Palaces,* p.81.
[244] Sidney and Beatrice Webb, *English Local Government vol.8. English Poor Law History part II: The Last Hundred Years* , p.120.

appointment and oversight of officials, acceptance of tenders, detailed management of the workhouse and interviews of applicants for relief in the presence of the relieving officer. Dr. Kay's report on Suffolk and Norfolk in the *Second Annual Report of the Poor Law Commissioners* 1836, noted that the 'exertions made by ……. the great majority of the guardians have been a phenomenon of the most inspiriting nature.' Some Boards were said to have met up to four times a week, from 10am to 6 or 8pm until the pauper lists were reviewed, united in their desire 'to remove the evils of the allowance system.'[245]

The role of *ex officio* guardians was often crucial to the vitality of Boards, though their relative influence has been a matter of contention amongst historians. Brundage maintained that the influence of the landed gentry increased as a result of the 1834 Act, based on his study of Northamptonshire, where he found such men largely controlling the Boards of Guardians as *ex officio* members. [246] Anne Digby also appears to support this belief in suggesting that magistrates were now able to directly influence policy, rather than indirectly, through supervision over the provision of poor relief, as before.[247] She is however more guarded than Brundage in suggesting that their influence declined over time as it gradually became less direct, as they came to exercise influence through their tenant farmers, who made up most of the guardians in rural areas. Peter Wood also suggests a similar pattern, with the *ex officio* county

[245] Second Annual Report of the Poor Law Commissioners 1836. Appendix B Dr. Kay's report on Suffolk and Norfolk.
[246] Anthony Brundage, *The Making of the New Poor Law. The Politics of Inquiry, Enactment and Implementation.* 1832-39 .
[247] Anne Digby, 'The Rural Poor Law', in Derek Fraser (ed.), *The New Poor Law in the Nineteenth Century* (London, 1976) p.152.

magistrates often playing an active part initially, but in the long-term attending less frequently, 'leaving administration in the hands of the representatives of the ratepayers.' [248] Suffolk however tends towards the Brundage model, with *ex officio* members dominating Boards of Guardians throughout the period 1834-70.

For the nine Unions for which such information is available in Suffolk, all but one initially appointed an *ex officio* guardian as chairman. One of these, William Fowle Fowle (sic.) Middleton, chairman of the Bosmere and Claydon Union, took the unusual step of getting himself elected as a poor law guardian for his home parish of Crowfield, even though he already qualified as an *ex officio* member. [249] Such a step serves to demonstrate enhanced commitment to the New Poor Law, or at the very least maintenance of their power within it. Two of the large landowners were, or had been, county MPs; Robert Newton Shawe, MP for East Suffolk from 1832-4, dominated proceedings as chairman of the Woodbridge guardians from 1835 – 48, whilst John Peter Allix, MP for Cambridgeshire from 1841-7 acted as chairman for the Newmarket Board for a similar period of eleven years. Such periods of office were common for Suffolk chairmen, who often served their Unions from their inception well into the 1840's. The second wave of chairmen were also of similar longevity, and five out of nine of these were still *ex officio,* frequent in their attendance, prominent in taking initiatives and at the forefront of discussions. This however was not the experience in all counties. In Buckingham, in response to questions from the Poor Law

[248] Peter Wood, *Poverty and the Workhouse in Victorian Britain*, p.85.
[249] SRO(I), ADA2/AB1/2 , Bosmere and Claydon Guardians' Minute Book, 9 Sept. 1835.

Commissioners on migration policy, the Board replied that 'administration of the law has materially suffered by the nearly total absence of the *ex officio* guardians.'[250] The contribution and influence of large landowners as *ex officio* members of the Boards of Guardians in Suffolk was thus both greater and longer-lasting than in some other areas.

In spite of the influence of the *ex officio* members however, Boards of Guardians often demonstrated weaknesses in dealing with pauper interests. The guardians primarily saw themselves as representatives of the ratepayers who had elected them. As such, their aim was pre-eminently to keep costs down, and only secondarily attend to the needs of paupers. In Suffolk, as in other rural areas, both the ratepayers and guardians were small farmers and their self-interest was evident in a number of other ways; in summer the demands of harvest became paramount and attendance at Board meetings dropped off considerably, to the point where occasionally meetings were not quorate. The solution to this in the Unions of Samford in 1862, and Bosmere and Claydon in 1864 was to introduce only fortnightly meetings of guardians through the summer.[251] Market days were also eschewed as meeting days for guardians in the Stow Union, as was the agricultural show in the Bosmere and Claydon Union. Failure to meet, inevitably involved delay and increased hardship on the part of those seeking relief.

[250] Third Annual Report of the Poor Law Commissioners, Appendix B, p.166.

[251] SRO(I), ADA7/AB1/13, Samford Guardians' Minute Book, 24 Apr. 1862. ADA2/AB1/13, Bosmere and Claydon Guardians' Minute Book, 22 Jul.1864. The Plomesgate Union rejected a motion for fortnightly meetings since 5 mainly ex officio members such as Lord Rendlesham, guaranteed weekly attendance over the summer.
SRO(I), ADA6/AB1/3, Plomesgate Guardians' Minute Book, 25 Jul. 1842.

As a monitoring body of the workhouse, Boards of Guardians often also fell short in their failure to exercise due diligence through their visiting committees. The most notorious event in workhouse history, the Andover scandal, was deemed to have taken place because the cruel regime of its master, George McDougal, was allowed to go unchecked. The Select Committee that later reported on this event, found that the guardians had failed in their duty to visit the workhouse.[252] This had allowed McDougal to reduce prescribed food allowances and led to starving inmates fighting over the gristle and bone marrow of the bones they were required to crush as part of their work tasks.

Though there were no scandals in Suffolk on this scale, it is clear that visiting committees varied greatly in the quality of their supervision. At best, they could prove very effective in bringing the attention of the Board to shortcomings in the administration of the workhouse; in December 1835 following a complaint by the able-bodied men about the quality of rice milk in the workhouse of the Wangford Union at Shipmeadow, the master was called to account and promised to procure a better quality of milk.[253] In the following year in the same workhouse, attention was drawn to the failure of the medical officer to visit the workhouse that morning. The walls of the Penitentiary were also reported as defective and their repair ordered. In these instances the monitoring system was clearly working as intended. However, not all visiting committees were so conscientious; the Bosmere and Claydon visiting committee was set up in November 1835 to visit the workhouse only once a month

[252] Norman Longmate, *The Workhouse* (London, 1974), p.133.
[253] SRO(L), 36/AB1/57, Wangford Guardians' Minute Book, 16 Dec. 1835.

and as late as 1847, the Assistant Poor Law Commissioner, John Walsham, was still stating that the visits were not as frequent as required.[254]

The guardians' minutes for the Woodbridge Union reported on 22 April 1858, that no visiting committee had attended the workhouse for two weeks[255] and no mention at all of visiting committees is made in the Samford and Cosford Unions until 1850 and 1854 respectively.[256] Even where records of visiting committees exist, their processes appear far from rigorous; the Newmarket visitors book contains *pro-forma* lists (presumably produced by the Poor law Commission) containing thirteen questions on such issues as the state of the house, health and education, the answers to which are almost invariably a perfunctory 'yes.'[257] Little improvement had apparently been made by 1868, since in that year, the shortcomings of visiting committees in Suffolk as a whole, were seen as serious enough to warrant a circular from the central authority, the Poor Law Board. The circular complained of the 'imperfect way' in which certain general orders were carried out in the county and reminded guardians that the Poor Law Board attached great importance to the 'punctual discharge of prescribed duties by visiting committees' as it was upon their supervision that the efficient management of the workhouse must mainly depend.[258]

[254] SRO(I), ADA2/AB1/7, Bosmere and Claydon Guardians' Minute Book, 19 Feb. 1847.
[255] SRO(I), ADA12/AB1/10, Woodbridge Guardians' Minute Book, 22 Apr. 1858.
[256] SRO(I), ADA7/AB1/9, Samford Guardians' Minute Book, 18 Apr. 1850. SRO(B), DC1/2/9, Cosford Guardians' Minute Book, 18 Dec. 1854.
[257] SRO(B), 611/92, Newmarket Visitors Book 1837-40.
[258] SRO(I), ADA7/AB1/15, Samford Guardians' Minute Book, 13 Jul. 1868.

The role and activities of salaried officials

In the absence of close control from either central or local authorities, this left the salaried officials as the body that most directly impinged on the everyday lives of paupers and through whom poor law policies were filtered. The first point of contact for a pauper seeking relief was the relieving officer, newly-created by the Poor Law Amendment Act as a paid official, to replace what was perceived as the haphazard and sometimes partial ministrations of the overseer. The main function of the relieving officer was to examine the merits of all applications for relief and place them before the Board of Guardians at their weekly meetings and subsequently administer any outdoor relief granted. The detailed accounts required of relieving officers meant that they required more than just a basic education. Their status was reflected in the fierce competition for such posts, (over twenty applicants was not unusual), the high turnout of guardians which their appointment occasioned and their relatively high salaries, on average about £100 per annum. Whilst many remained in post over ten or even twenty years, others became governors (masters) of workhouses, although such posts rarely commanded a higher salary.

Though the relieving officers themselves might occasionally become targets for the frustrations of paupers, it was the system itself which caused the greatest hardships. Access to outdoor relief was difficult, particularly for the aged and infirm. Procurement of relief in kind often involved walking considerable distances; in April 1856 the clerk of the Newmarket Union was asked by the Board of Guardians to report on the 'extreme

distances to be travelled by some applicants for relief, particularly in winter.'[259] Little appears to have come of this however, since in November 1857 the Reverend William Cooke drew the attention of the Newmarket guardians to the plight of the people of Higham, a hamlet of four hundred people, whose nearest distribution point for food relief was at Gazeley, over two miles away.[260] The inadequacy of provision was still apparent in 1862 when the Ipswich guardians recommended that 'there should be (food) depots in every district' – in itself covering a considerable area- and that supplies should be provided on the day they were awarded, to meet immediate needs.'[261] In December 1868 however, a letter from the Poor Law Board to the Newmarket Union stated that practices in the provision of outdoor relief were still 'against the interests of paupers,' with no definite time or place fixed by guardians for the distribution of relief, and sometimes only one or two stations of supply for the whole district.[262]

Similar problems occurred in the accession of medical relief; as late as 1869, the Samford Board of Guardians admitted that 'the present arrangements in the Union do not fully meet the necessities of the poor' and that 'they are bandied about between overseers, relieving officers and medical officers and often subjected to hardship and inconvenience in the great distance to be travelled.'[263] Any abuse of the system however, was almost certainly mitigated by the fact that outdoor relief took place under the public eye; concerned individuals such as the Reverend Cooke and the

[259] SRO(B), 611/21, Newmarket Guardians' Minute Book, Apr. 1856.
[260] SRO(B), 611/7, Letters to Newmarket Board of Guardians. Nov. 1857.
[261] SRO(I), DD1/28/2/13, Ipswich Guardians' Minute Book, 29 Oct.1862.
[262] SRO(B), 611/10, Letters to Newmarket Board of Guardians , 9 Dec. 1868.
[263] SRO(I), ADA7/AB1/15, Samford. Guardians' Minute Book, 1869.

largely anti-poor law press ensured that any abuses did not go unrecorded. The same however could not be said for indoor relief, away from public scrutiny behind the closed doors of the workhouse. Such a system gave tremendous power to the officers of the house, and particularly to the governor/master of this highly hierarchical system.

Workhouses usually held between six to ten officers and also had the services of a medical officer and a chaplain who lived outside the workhouse. Most had a schoolmaster and/or a schoolmistress whose duties were wide-ranging. Crowther suggests that they probably had the most unenviable lives of all the officers, because they were 'in constant attendance on children.'[264] Schoolmistresses often had to bathe the children, mend their clothes and act as general nurses. Nevertheless, in hierarchical terms they came just below the master and matron and frequently applied for and gained such posts themselves. The good relationship between the governor and schoolmaster was considered paramount by the Poor Law Commissioners in the smooth-running of the workhouse. When Mr. and Mrs. Sanders, the schoolteachers at Newmarket in 1849, brought up complaints against the master on what were deemed to be 'insignificant' details of domestic arrangement, they were reminded that 'as the two senior officers resident in the workhouse', they should set a better example to inmates by living together in 'peace and friendship.'[265] Similarly, following a long period of disorder amongst the boys in the Wangford workhouse in 1841, the report of Twistleton, the Assistant Poor Law Commissioner, impressed upon the governor and

[264] M.A. Crowther, *The Workhouse System 1834-1929* (London, p.130.
[265] SRO(B) 611/18, Newmarket Guardians' Minute Book, 17 Apr. 1849.

schoolmaster the importance of their co-operation with each other, if good order in the workhouse was to be maintained. He also enjoined the governor to do all in his power to uphold the authority of the schoolmaster.[266]

More lowly-paid, but still with an onerous job was the porter, whose main function was to man the gates, control and often record all entrances and exits. Thus, he was responsible for admitting all paupers assigned relief in the workhouse and searching them for forbidden commodities such as tobacco and alcohol, a task which gave him some considerable power to influence the lives of inmates. Many workhouses also employed a range of other officials, often as in the case of the corn miller, on a seasonal basis. In Suffolk, the Wangford Union was unusual, employing in 1835 a superintendent of labour, a farming man, six nurses, a kitchen man, a flax drawer, a baker, barber and dairywoman. Such employees had only limited ability to affect the lives of paupers, since they themselves were often merely inmates of the workhouse.[267]

Above all the governor or master (and matron to a lesser extent) were the ones capable of influencing the lives of the paupers for good or ill. As Crowther has pointed out the master was the one with greatest responsibility for 'deciding how far the workhouse should deter the poor.'[268] Though in theory he had to conform to the wishes of the guardians, in practice he tended to be more powerful. As already shown,

[266] SRO(L) 36/AB1/60, Wangford Guardians' Minute Book, 29 Dec. 1841.
[267] SRO(L) 36/AB1/57, Wangford Guardians' Minute Book, 16 Dec. 1835.
[268] Crowther, *The Workhouse System,* p.114.

the guardians were not always conscientious in their duties and were content to leave application of policy in the hands of the master; this therefore gave him wide discretion to treat inmates harshly or sympathetically as he saw fit.

From its very inception, the workhouse was considered to be a disciplinary institution, and as such the Poor law Commission suggested that ex- army non-commissioned officers, or prison officers would provide the most suitable masters. However in the early days, those with experience as masters in poorhouses and Houses of Industry were favoured. In Suffolk, this amounted to six out of the eleven workhouses for which such information is available. Their disciplinary function was reflected in their early instructions which were 'to enforce industry, order, punctuality and cleanliness,' to see that the able-bodied were put to work, call the medical officer in the case of illness and keep accounts for workhouse stores and property. Added to this, the master was 'required to be of irreproachable moral conduct, with great firmness and mild temper due to the nature of the inmates.'[269] In spite of such demanding requirements, there was often a widespread response to advertisements, put out in both local and national papers.

Salaries were a matter for the local Board of Guardians. Though the Poor Law Commissioners had hoped to fix salaries of the master and other officials based on the size of the workhouse, they ultimately had limited powers to do so. Although they could refuse excessively high salaries, they were unable to increase low ones. Tufnell, the Assistant Poor Law Commissioner for Kent had considered £80 ample for any

[269] Crowther, *The Workhouse System,* p.116.

master, regardless of the size of the workhouse, but in Suffolk the joint salaries for master and matron were as low as £60 per annum in Newmarket and as high as £130 in the Cosford Union, with an average of around £100. Both Driver and Wood consider masters to have been relatively low paid and imply some correlation between low pay and corruption and inefficiency.[270] Crowther also contrasts masters unfavourably with governors of charity institutions, in terms of both income and social status; such men could command incomes of between £100 and £300 per annum.[271] Nevertheless, she suggests that masters had a social status comparable to that of a modest tradesman and the position certainly seemed to be well sought after, advertisements often resulting in over twenty applicants.

The differences in rates of pay for masters clearly provided a career structure, many of them moving on to more lucrative positions. John and Ann Sutton, considered to be a model master and matron of Bosmere and Claydon Union from 1835 to 1837, although with a joint salary of 100 guineas, moved on after two years to the better-paid Greenwich Union. [272] Where salary was low, turnover of masters could be great; Crowther states that the little Union of Cleobury Mortimer, paying its master only £30 per annum, there were seventeen masters between 1854 and 1918. In Suffolk during the period 1834-70, Unions rarely had more than two or three different masters and ten or even twenty years' service was not unusual. Though this might suggest greater stability within the workhouses of Suffolk, they nevertheless had their fair share of

[270] Driver, *Power and Pauperism,* p.148, Wood, *Poverty and the Workhouse,* p.90.
[271] Crowther, *The Workhouse System,* p.125.
[272] SRO(I) ADA2/AB1/3 , Bosmere and Claydon Guardians' Minute Book, 4 Apr. 1837.

scandals, with almost half of the twenty six masters recorded, being involved in some level of misdemeanour.

Boards of Guardians and even Assistant Poor Law Commissioners, having placed a good deal of trust in the masters of the workhouse were often reluctant or slow to act when complaints emerged and would sometimes go to great lengths to protect them. In May 1860, the auditor found William Clarke, the Master of Ipswich Union 'guilty of certain irregularities of accounts.'[273] The enquiry by a committee of the guardians, also found significant discontent amongst the other officers of the workhouse, in his treatment of them. In spite of some of their complaints being upheld, Walsham, the Poor Law Inspector recommended that the resignations of the porter, his wife, the schoolmaster , schoolmistress and the tailor should all be required rather than that of the master.[274] Though some of the guardians at least demurred at this, they nevertheless supported the action by a majority of one. It took further revelations of falsification of parts of his testimonial and more financial irregularities to lead to the demise of Clarke two years later.[275]

Ipswich guardians had seemingly learned little in their trust of master, since the previous incumbent, Robert Burcham Clamp had proved similarly troublesome, though he managed to remain in post for seventeen years. Clamp was unusual in that he had previously been a guardian of the Union which perhaps explains the Board's misplaced trust in him. He also appears initially to have been a man of means, carrying out

[273] SRO(I), DD1/28/2/11, Ipswich Guardians' Minute Book, 12 May 1860.
[274] SRO(I), DD1/28/2/11, Ipswich Guardians' Minute Book, 9 Jul. 1860.
[275] SRO(I,) DD1/28/2/12, Ipswich Guardians' Minute Book, 25 Jan. 1862.

business trips to Rotterdam on a number of occasions. The first of these in September 1846 caused some problems with the Board of Guardians as he failed to first gain their permission. In addition, he also came under fire for selling gravel from the garden without recording it. Nevertheless, the Board considered that he discharged his duties well and treated the inmates humanely and with kindness.[276]

The following month however, Clamp came under further suspicion; numerous reports were made of his relationships with young women in the workhouse. He was alleged to have been seen walking in town, on two occasions, with a young woman called Elizabeth Flack, as well as taking her and another girl off in his own boat during a trip out.[277] A further trip out with Elizabeth Flack to Dulwich to visit an Aunt who was 'not found,' was also questioned. In addition various criticisms were made of Clamp's practices of employing inmates of the workhouse to carry out private jobs and in the neglect of some household duties such as calling a roll of the paupers and leaving the key in the outer door overnight. This time it was the Poor Law Commission which acquitted him; they referred to his 'high character' and the fact that he was 'a zealous and efficient officer' in whom they felt much confidence even if 'occasional irregularities took place.'[278] The majority of the Board of Guardians offered 'unqualified concurrence' with the Commission's view and expressed 'total confidence' in the master.

[276] SRO(I) DDI/28/2/5 , Ipswich Guardians' Minute Book ,12 Sept. 1846.
[277] SRO(I) DD1/28/2/5, Ipswich Guardians' Minute Book, 4 Nov. 1846.
[278] SRO(I) DD1/28/2/5, Ipswich Guardians' Minute Book, 27 Feb. 1847.

Their trust seemed to be justified over the next few years during which no complaints occurred. However, in April 1856 a letter from the Poor Law Board stated that they had heard that the master was in gaol in Bury St. Edmunds for debt and enquired who was running the workhouse in his absence. The Board of Guardians replied that he had been arrested about three weeks earlier, but that they believed it to be a 'friendly arrest,' to allow him to pass through the insolvency court. He had been held only five to six days, during which relieving officer Gooding had supervised the workhouse.[279] The matter seemed settled when Clamp offered an explanation of his debts and the ways in which he intended to deal with them.

Though further criticism emerged on 'irregularities of the master', the latter was still considered plausible enough to warrant a statement from the Board of Guardians, that the management of the house should be left to him. The confidence in the master was however finally shaken, when allegations came not from the inmates but from the more damning source of the Borough Police. At an extraordinary general meeting of the Board of Guardians on 1 December 1858, the Police gave evidence that Clamp had 'removed eatables and other goods from the house.'[280] They reported how they had seen a hamper being removed from the workhouse and taken to the railway station by a man named Palmer. From here the Police followed the hamper on the train, alighting at Elmswell when it was removed there. The hamper was picked up by a carrier and taken to a Mrs. Forsdyke in Wetherden and when opened found to contain a variety of food such as tea, sugar and butter as well as calico, tobacco and writing

[279] SRO(I) DD1/28/2/9, Ipswich Guardians' Minute Book, 26 Apr. 1856.
[280] SRO(I) DDI/28/2/10, Ipswich Guardians' Minute Book, 1 Dec. 1858.

paper. Railway records showed that since the previous April, similar parcels had been sent on twenty occasions. Though Clamp protested his innocence, he nevertheless offered his resignation and was later directed to leave the house immediately. The key concerns in his final downfall had not been the abuse of his power over inmates of the workhouse, or the neglect of household duties, but financial issues, i.e. those which most nearly touched the Board of Guardians as ratepayers and representatives of ratepayers.

A similar hierarchy of concerns had earlier been demonstrated over the actions of the master in Sudbury Union workhouse. In March 1840, the master, Fisher, was found by the Board of Guardians to have been having 'illicit intercourse' with Eliza Olley of Great Cornard. 'On account of his previous good conduct and efficiency, and there being circumstances of mitigation in his favour, the board with the assent of the Poor Law Commission, forgave him' and he was merely subjected to a severe reprimand from the chairman.[281] However, he continued to see her and was reported to have 'set her up' in London. Ultimately, a warrant went out for Fisher's arrest on a charge of embezzling goods, 'the property of the guardians.' Having chased Fisher to London, the dwelling of Eliza Olley was searched, revealing tea, coffee, sheets and blankets all apparently supplied by Fisher.[282]

The master's power and approach was clearly crucial to the ways in which the poor law was perceived by inmates of the workhouse. The inadequacy of central government, both in terms of power and personnel, meant it was unable to keep a close check on

[281] *The Times, 27* Aug. 1840.
[282] *Ibid.*27 Aug. 1840.

the activities of local Boards of Guardians. In turn, the shortcomings of the guardians in the neglect of visiting committees and their reluctance to interfere in the workhouse created a power vacuum. As Anne Digby notes 'the central board was often an inadequate bulwark against the independent-minded policies of local guardians, and the latter provided only a haphazard check on the activities of their salaried officers.'[283]This meant that unbridled power was devolved into the hands of the master. The promise of such power might explain the attraction of the position particularly to relieving officers who on becoming masters, were apparently accepting a less well-paid and more demanding post than that which they already occupied. The enclosed and hierarchical system of the workhouse only served to enhance that power.

As the Andover crisis demonstrated, protestations by the Poor law Commission and guardians that prescribed policies such as the dietaries were in place, were of little consequence where the master, untrammelled by supervision, chose not to carry them out. If this were possible in Andover, so too in Suffolk. Though there were clearly examples of kinder and more humane masters, the weaknesses of the system nevertheless gave them unparalleled opportunities of exploitation, and it was through the distorted filter of the masters' regime that pauper inmates of the workhouse mainly experienced the vicissitudes of poor law policies.

Whilst the first part of this chapter has examined ways in which workhouse personnel controlled the lives of its inmates, recent histories have tended to look towards the

[283] Digby, *Pauper Palaces* , p.80.

ways in which paupers became agents of their own treatment.[284] Such an approach has been argued by David Green who examines ways in which the poor used strategic considerations no less than workhouse personnel, in influencing their own relief.[285] He goes on to look at the ways in which this was carried out stating that 'at times they threatened and fought with officers inside and outside the workhouse. They destroyed parish property, they lied and they stole. In short they bargained for relief.'[286] This approach was popularised by E.P Thompson in his seminal work *The Making of the English Working Class*. He chose to take the route away from prevailing orthodoxies, such as that of the Fabians, in which the working class were seen as passive victims of *laissez faire,* and 'rescue them from the enormous condescension of posterity.'[287] It is the route taken by many authors since and it is the one I now take, to examine the agency of workers in Suffolk in influencing their treatment by poor law personnel.

The establishment of pauper rights

The process of looking at 'history from below' involves a rejection of the widely-held view in the nineteenth century of agricultural workers as 'Hodges'. The term 'Hodge' Griffin tells us, was a 'cross between hedge (where he spent much of his time) and clod (the substance on his boot and in his brain.)'[288] He sees the position as being summed

[284] Lynn Hollen Lees, *The Solidarities of Strangers*, Steven King and Alannah Tomkins (eds.), *The Poor in England* 1700-1850: *An Economy of Makeshifts*, Tim Hitchcock, Peter King and Pamela Sharp (eds.), *Chronicling Poverty – The Voices and Strategies of the English Poor 1640-1840*.
[285] David Green, *Pauper Capital: London and the Poor Law* 1790-1870, p.157.
[286] *Ibid.,*p.157.
[287] E.P. Thompson, *The Making of the English Working Class* (Harmondsworth, 1963). p.13.
[288] Carl J. Griffin, *Protest, Politics and Work in Rural England,* 1700-1850 (Basingstoke, 2014) p.xii. This view is also supported by K.D.M. Snell in *Annals of the Labouring Poor* (Cambridge, 1985) p.5.

up by John Dent, a liberal MP and agriculturist in 1871, who stated that 'the labourer was not only unimaginative, ill-clothed, ill-educated and ill-paid, ignorant of all that is taking place beyond his own village,' but also 'dissatisfied with his position and yet without effort or energy to improve it.'[289] This image was perpetuated well into the twentieth century, according to Snell, by writers such as George Sturt and Richard Jeffries, and long after the working classes had shown themselves to be other than 'Hodges'.[290]

Though Bronterre O' Brien, a leading Chartist was to claim that only those in the North showed any mettle in resisting the New Poor Law Act, through their dogged resistance and large organised opposition, this was clearly not the case.[291] Participation of the working classes in mainly southern events such as the Blood and Bread riots of 1822 and the Swing riots of 1830 must surely deny the accuracy of the stereotyped 'Hodge'. As Griffin points out, the Swing riots showed the ability of the rural working classes in the south and east to organise and negotiate wages, if only temporarily.[292] Similarly, paupers in Suffolk resisted the building of the new workhouses in the 1830's (see Chapter 3) and the conditions of separation which they knew an application of the policy of segregation would bring. It seems inconceivable that some of these same rioters should not later be found in the workhouses or amongst the Chartists, using the know-how they had exerted in earlier disputes. Acts of incendiarism in workhouses

[289] J. Dent, 'The present condition of the English Agricultural Labourer', *Journal of the Royal Agricultural Society,* 2nd series,7 (1871), 343-4 cited in Carl J. Griffin, *Protest, Politics and Work in Rural England p.*xii.
[290] George Sturt, *Change in the Village* (1912) p.x.and 40. Richard Jefferies, *Hodge and his Masters* 2 vols. (1880), vol.2 p.253.
[291] Griffin, *Protest, Politics and Work,* p.37.
[292] *Ibid.* p.34.

were carried out at diverse points throughout East Anglia in the 1840's and 50's as they had been in both the 1822 Bread and Blood riots and the Swing riots. [293] Griffin goes so far as to argue that workhouse opposition in the south contributed to later southern radicalism in the developments of Chartism and later short-lived rural unions.[294]He thus effectively dismisses the 19th century view of the rural worker as a 'Hodge' stating that he was not a 'forelock-tugging victim of capitalist change,' but instead was an 'active agent in the making of the modern world,' and existed just as much in the south and east as in the north. [295]

It is undeniable however, that there was a strong anti-poor law movement outside the workhouses, supported by all classes, which did much to keep contentious issues in the gaze of the public. Most famously amongst its supporters was MP John Walters, editor of *The Times*. He and other individuals such as Thomas Wakley, MP and Coroner, and responsible for helping found the Poor Man's Guardian Society in 1846, took every opportunity to discredit the New Poor Law. It is in the light of such activities that Green, using examples from the London Police Courts which dealt with poor man's justice, makes out a case that the poor were encouraged to insubordination, in the likelihood that they would receive a sympathetic hearing.[296] This view was supported by a strong belief of the paupers in their own rights to outdoor relief.[297]

[293]At Bosmere and Claydon, Newmarket and Wangford. The most serious of these was reported in the *Bury and Norwich Post* Nov.29, 1843 at the Wangford workhouse in Shipmeadow.
[294] Griffin, *Protest, Politics and Work* p.39.
[295] *Ibid.p.xii.*
[296] Green, *Pauper Capital,* p.166.
[297] This view is supported by a number of historians such as Lynn Hollen Lees, *The Solidarities of Strangers,*p.153, Larry Patriquin, *Agrarian Capitalism and Poor Relief in England* , p.135, Hitchcock et.al., *Chronicling Poverty,* p.10.

Lees sees these rights as being legitimised by the Elizabethan Poor Law system[298]but Patriquin argues more convincingly for a later date.[299] He accepts the view of the Assistant Commissioner, C.P. Villiers, that pauper rights had their origin during the French Revolutionary wars, when it was deemed wise to present the poor laws as an institution to the advantage of paupers, peculiar to this country, in order to encourage patriotism and persuade them that they had therefore a stake in the country.[300]Thus, outdoor relief, reflecting the beliefs of the poor as a right, came to be known as 'the country allowance', sometimes 'the government allowance,' sometimes 'The Act of Parliament Allowance' and always 'our income'.[301]He also believed that Thomas Paine's second part of *The Rights of Man* was crucial in 'legitimizing this discourse of rights'.[302]Whatever the date of such a development, the results are surely the same : recognition by the poor of their own rights over both outdoor relief and fair treatment in general, and a determination to pursue them.

In *The Uses of Charity,* Peter Mandler states that knowing how the system worked and how best to elicit relief was essential to survival and goes on to outline a number of methods used such as being deferential in the hope of receiving better treatment, becoming a nuisance by breaking windows, damaging property, or appealing to a

[298] Lees, *The Solidarities of Strangers,* p.153.
[299] Patriquin, *Agrarian Capitalism,* p.136.
[300] Cited in Patriquin, *Agrarian Capitalism,* p.136. No details of original source given.
[301] Patriquin, *Agrarian Capitalism,* p.136.
[302] *Ibid.* p.215.

magistrate.[303] Examples of all these can be found in the minute books of the Suffolk guardians and go some way to supporting Green's and Mandler's views on the importance of an awareness of the part inmates played, in a knowledge and understanding of the system, and the resources they could bring to bear on their treatment.[304]

Language of deference

The strong belief of guardians in the hierarchical structure of the workhouse, made deference by use of language and dress an important issue for paupers appearing before them. Hollen Lees demonstrates this importance in the case she gives of several elderly women who applied for outdoor relief in Atcham, Shropshire in 1849. All but one of the women received the outdoor relief requested, the remaining woman, refusing to answer questions and her daughter becoming abusive, was confined to the workhouse.[305] Similar examples of use of appropriate language by paupers to gain compliance for their wishes, are to be found in Ipswich ; after it was reported by the master that a man named Southgate had 'wilfully disobeyed his lawful order to work in the garden, after the order had been repeated,' he appeared before the Board, gaining nothing but a reprimand, having expressed his regret and promised obedience in the future.[306] Similarly, Rachel Bloomfield, an inmate of Wangford

[303] Peter Mandler (ed.), *The Uses of Charity* (Philadelphia,1990), p.12-23 cited in Green, *Pauper Capital,* p.158.
[304] Green, *Pauper Capital,* p.158.
[305] Hollen Lees, *The Solidarities of Strangers,* p.168.
[306] SRO(I), DD1/28/2/14, Ipswich Guardians' Minute Book, Jun.1864.

workhouse, gained the return to the ward she sought by appearing contrite, stating that she was 'sorry for her misconduct' and promising to behave herself properly in future.[307]

In contrast the penalty for not adopting the appropriate language could be harsh; Robert Chittleburgh, an able-bodied man in the Wangford workhouse applying for butter instead of cheese, which he could not eat, was told that 'the manner in which he conducted himself before the Board was very improper and his answers very impertinent.' The Board was of the opinion that had he conducted himself properly, that his application ought to have been granted, but in consequence of his ill-conduct that it ought to be refused.[308]

Although speaking appropriately almost always resulted in a finding in favour of paupers, (or at least a mitigation in their sentence), looking respectable proved a more dangerous line to take. Elizabeth Maybon, a serial 'offender' who appeared before the guardians, deferential and well-dressed, was turned away, on the grounds that in looking so presentable, she clearly had access to private funds.[309]

The protection of magistrates

Under the Old Poor Law paupers had often appealed to magistrates over the decisions of local overseers and this strong belief in paternalism continued after 1834. Appeals to magistrates still continued, or to the Poor Law Commission (after 1847 the Poor Law Board) over the heads of the local guardians who were directly responsible for the

[307] SRO(L), 36/AB1/68, Wangford Guardians' Minute Book, 3 Oct.1855.
[308] SRO(L), 36/AB1/62, Wangford Guardians' Minute Book, 10 Jan.1844.
[309] Green, *Pauper Capital* p.158.

New Poor Law. Magistrates often openly demonstrated their sympathy for a pauper's situation, much to the chagrin of the guardians; in Newmarket, the local magistrate, in convicting a pauper, offered him the workhouse for 11 days or gaol for 15, but recommended the latter, as the food was better. Guardians made a note to try and avoid using the same magistrate again.[310]

As *ex officio* members of the Board of Guardians, who were often also leaders in the church, magistrates often had a big part to play in mediating between inmates of the workhouse and the body of guardians. As the inmates came to realise this, they were quick to take advantage. In the Bosmere and Claydon Union, the Reverend Etough, an *ex officio m*ember of the board was particularly active. He visited the workhouse regularly and it was on one such visit that he must have been approached by an elderly couple, William Durrant and his wife, both over 60. He drew upon a certain amount of sympathy accorded to the aged poor, pleading their case in such a context. He argued that they should be the 'objects of the indulgence allowed to such class to reside at the sick house where they wouldn't be segregated.'[311]Similarly the Reverend Maberley (a known agitator against the New Poor Law), espoused the cause of Susannah Ramplan, a widow with four children, in her request for outdoor relief.[312] The fact that neither of these cases was successful from the pauper's point of view matters little in the long term of events. The fact remained that whilst ever the magistrates continued to offer succour to the paupers, Boards of Guardians were 'kept on their toes', a fact which must have at least ameliorated their treatment of the paupers.

[310] SRO(B), 611/18, Newmarket Guardians' Minute Book, 30 Oct.1849.
[311] SRO(I),ADA2/AB1/4, Bosmere and Claydon Guardians' Minute Book, 10 Dec. 1838.
[312] SRO(I),ADA2/AB1/7, Bosmere and Claydon Guardians' Minute Book, 18 Dec. 1846.

Occasionally, the irritation of the Board expressed itself in bad tempered outbursts against the magistrates. One such event occurred against the Reverend Edge in the Cosford Union, where he was seeking details of committal to the workhouse of a woman named King. The response of the Board was to express their 'disapprobation at the interference of Mr.[they didn't offer him the courtesy of his full title] Edge with the proceedings of the Board.'[313]

A more serious and prolonged case occurred between the Reverend Safford, a magistrate taking up a number of poor people's claim for outdoor relief against the local Board of Guardians for Wangford. The case started with a resolution by the Board to protect one of its relieving officers, a man named Butcher, 'in the legal discharge of his responsibilities,' following a third case in which his decisions had been challenged by magistrates. Following complaints to the Poor Law Board by the newly appointed Reverend Safford, the former requested details from the Board of Guardians. According to the Board of Guardians, some of the claimants assumed they had the sympathy of the magistrates and had appealed to them against decisions over poor relief, and relieving officer Butcher was duly called before the bench accompanied by a police officer. The nub of the problem as the Board of Guardians saw it was that the claimant, a man named Bezant, 'was encouraged to be rude to the relieving officer by apparent support of the magistrate.' Furthermore, they also stated that the 'impression was spreading amongst applicants for relief that the magistrates would act as a court of appeal against the guardians.'[314] Though the quarrel between Safford and

[313] SRO(B), DC1/2/1, Cosford Guardians' Minute Book, 17 Nov. 1835.
[314] SRO(L), 36/AB1/66, Wangford Guardians' Minute Book, 16 Jun.1852.

the Board of Guardians was to linger on until October of that year, the key beneficiaries were clearly the paupers, who far from being the passive recipients of treatment at the hands of the New Poor Law, were able to manipulate the rivalry of two of its bodies to their own ends.

Formal complaints from paupers

In addition to informal methods of getting their voices heard, paupers theoretically also had a more formal arrangement open to them. In February 1847, Assistant Commissioner Waltham suggested that the weekly visiting committee ask paupers if they had any issues to put to the guardians. The latter however, suggested instead the putting up of a notice stating that 'any inmates considering themselves in any manner aggrieved, could state their complaints to guardians at their weekly meetings, having given notice to the master or visiting committee on their visits.'[315] This more complicated and public procedure could well have meant less usage of the system, a factor confirmed by the need of the Samford guardians in 1866, to remind the inmates of how to make complaints.[316] Nevertheless, many individuals did make their complaints, often motivated by the justice of their causes.

The aged, a group which garnered some sympathy amongst the guardians were the most successful in achieving their ends, particularly from within the workhouse. They had perhaps by this stage learned the benefits of adopting a subservient attitude. A request in the Plomesgate Union in 1838, of a male and female, (no names given) of 67

[315] SRO(B), 611/17, Newmarket Guardians' Minute Book, 9 Feb.1847.
[316] SRO(I),ADA7/AB1/14, Samford Guardians' Minute Book, 25 Oct.1866.

and 56 respectively, to the Visiting Committee, for tea, sugar and butter for breakfast instead of gruel, was duly complied with.[317] Similarly in April 1851, in Ipswich, the old men took the initiative with a request for leave to visit their friends on Easter Monday. This was also granted, as was the addition of tea to their diet on Wednesday and Sunday the following month.[318]

Parents too, motivated by a strong bond of kinship, were often vociferous in demanding their children's rights, where they would not necessarily have fought for their own. In 1838, Mrs. Coleman, an inmate of Wangford Union workhouse, complained of the 'undue severity' used by the schoolmaster, which had caused damage from use of a stick, to the eye of her son. Although the schoolmaster was to claim that the injury had been sustained by the boy falling against a lock whilst running, and was believed by the Board, he was nevertheless urged to 'treat the boys with as much kindness as may be consistent with discipline.'[319]

Sometimes parents took the option of complaining through a magistrate, as was the case with the Wilsons in the Bosmere and Claydon Union, who complained through the Reverend Brown, a guardian and magistrate, about the severity of punishment of their son by the schoolmaster.[320] The master supported the schoolmaster, who claimed that 'the boys in the school were very bad and Wilson one of the most incorrigible,' by stating that he did not believe the schoolmaster had caused the bruises and repeating that the behaviour of the boys was very bad indeed and

[317] SRO(I), ADA6/AB1/1, Plomesgate Guardians' Minute Book, 9 Jan.1838.
[318] SRO(I), DD1/28/2/6, Ipswich Guardians' Minute Book, Apr. and May 1851.
[319] SRO(L), 36/AB1/59, Wangford Guardians' Minute Book, 19 Dec. 1838.
[320] SRO(I), ADA2/AB1/6, Bosmere and Claydon Guardians' Minute Book, 1 Mar.1844.

required a great deal of severity to keep them in order. The Board of Guardians found in favour of the boy, by claiming that the schoolmaster had used too great severity and had not followed the rules of having the master present when the punishment was inflicted. In addition they reprimanded the master, for not allowing the inmates to complain, a factor which can only have encouraged paupers to take matters into their own hands when seeking justice at the hands of the New Poor Law.

Occasionally, literate individuals would pass through the doors of the workhouse. They provided a headache for the authorities since they often expressed themselves with great articulacy on their own behalf and that of others. One such man was the retired teacher who occasionally inhabited Wangford workhouse, and took upon himself the job of gaining some justice for an 88 year old man, by writing to his relatives.[321] Whilst this produced no result, Noah Clarke Canham in Ipswich Union had greater success. In claiming his inability to pay his wife's full maintenance at Fulbourn lunatic asylum, he offered instead what he could pay. He also took the unusual step of including a memo in his own support from the overseers and ratepayers of St. Clements, signed by 67 people. As a result, one of the guardians put forward a motion to rescind the earlier decisions against Canham.[322]

Similarly, a man named Henry Southgate caused so much trouble amongst the inmates of Samford workhouse that eventually they allowed him to leave the workhouse and go and look for work. He appears to have been at the centre of a number of

[321] SRO(L) 89/1/29 The Shipmeadow Union House p.43. The teacher is not named but from the 1851 census appears to have been William Simpson, the only retired teacher to be recorded there.
[322] SRO(I), DD1/28/2/14, Ipswich Guardians' Minute Book, 11 Jul. 1863.

complaints which went on from March 1868 to January 1870; on 19 March, 1868, a letter was sent to the Board, strongly believed to have been written by Southgate, claiming there was insufficient nourishment in the sick wards.[323] A second complaint was received on 28 May concerning the master taking possession of his mail and a third from one of his supporters, no doubt egged on by Southgate, concerning the beating of his child by the schoolmistress.[324] He also went so far as to write to the admiralty about his pension, claiming that earlier attempts of individuals to gain justice had been hushed up by the Poor Law Board and the Board of Guardians. [325] The fact that Southgate had been a clerk in the Marylebone workhouse indicated how well he knew the system and how to manipulate it. It also demonstrates the fine line between employment and pauperism and the way in which one might easily slip from one to the other.

Vagrants

One particular group causing problems for poor law authorities, by its ability to manipulate the rules to its own ends, was that of the vagrants or trampers, as they were known in East Anglia; these were casual itinerant poor who tended to travel from workhouse to workhouse. Although they were not recognised as a separate class in the 1834 Act, guardians were nevertheless required to provide a place for them in the workhouse, the act stating unequivocally that 'irrespective of their place of settlement, all paupers, in urgent distress had to be relieved at any workhouse to which they

[323] SRO(I), ADA7/AB1/15, Samford Guardians' Minute Book, 19 Mar. 1868.
[324] SRO(I), ADA7/AB1/15, Samford Guardians' Minute Book, 28 May 1868.
[325] SRO(I), ADA7/AB1/15, Samford Guardians' Minute Book, 29 Apr. 1869.

applied, and they must be aided until they could be returned to their place of origin.'[326] It was not until 1842 however that the terms to which the vagrants should comply, were written down. In return for receiving a bath in the receiving wards, supper of bread and cheese, a night on clean straw and a breakfast of gruel, vagrants would be given a task of hard labour to do and could be detained up to four hours on the day after their entrance to the workhouse. This, it was hoped would act as a deterrent to their application to the workhouse.[327]

Vagrancy was not a problem everywhere; Digby states that it was almost unknown in Norfolk in 1842, whilst Bosmere and Claydon Union in Suffolk reported in March 1841, that they had only had two vagrants in the previous three years.[328] The same was not true of Ipswich however, whose correspondence with the Poor Law Commission in February 1841, clearly showed its concern, with vagrants entering and re-entering the workhouse without doing any work.[329] It was concerns like these that presumably sparked the Order of 1842, since Ipswich asked 'whether it would be reasonable to confer power on guardians to detain able-bodied vagrants for six hours during working time on the day following their admission,' to prevent abuse of the existing system.[330] Vagrants had clearly exploited their position, by refusing to carry out their tasks, in the sure knowledge that food and a place to lay their heads could not be denied them. They found their way around the system, by being picked up late at night and leaving straight after breakfast. Where workhouse officials demanded work before breakfast,

[326] Crowther, *The Workhouse System,* p.32-3.
[327] Digby, *Pauper Palaces,* p.148.
[328] SRO(I), ADA2/AB1/5, Bosmere and Claydon Guardians' Minute Book, 8 Mar. 1841.
[329] SRO(I), DD1/28/2/3, Ipswich Guardians' Minute Book, 27 Feb. 1841.
[330] SRO(I), DD1/28/2/3, Ipswich Guardians' Minute Book, 27 Feb. 1841.

they were the source of frequent complaints to the Poor Law Commissioners, who often gave them short shrift.[331]

Nevertheless, the Order of 1842, coupled with the use of rural police and a ticket of way scheme giving the vagrant food and lodging with little work demanded in return, appeared to have been successful, at least temporarily, as numbers of vagrants in workhouses fell dramatically; Ipswich Union gives figures of 1731 vagrants applying for poor relief in its workhouse in 1848, but these fell steadily to 674 in 1850.[332]Plomesgate Union also stated that their numbers were down as early as 1844, so considered the policy successful.[333] However other factors seem to have been in play, since the numbers started to rise rapidly again, reaching a total of 1138 in Ipswich. The authorities could do little other than reiterate the 1842 Order, or take the time and trouble to refer the case to a magistrate where the vagrant could receive a sentence of up to 21 days. [334] Since neither of these things had resulted in a permanent reduction of vagrants applying to the workhouse, their 'negotiation' appears to have been successful.

A further way in which vagrants subverted the system was through the destruction of their clothes. In London, David Green gives the figure of 160 committals to prison, out of a total of 524 for this offence' during the half year ending 25 May 1874. This was second only to the 296 refusals to work.[335] The process was also common in Suffolk with vagrant paupers alleged to be destroying their trousers in order to gain new ones

[331] Green, *Pauper Capital,* p.180.
[332] SRO(I), DD1/28/2/6, Ipswich Guardians' Minute Book, 7 Sept. 1850.
[333] SRO(I), ADA6/AB1/4, Plomesgate Guardians' Minute Book, 1 Jan. 1844.
[334] SRO(I), DD1/28/2/13, Ipswich Guardians' Minute Book, 30 Aug. 1862.
[335] Green, *Pauper Capital,* p.179.

from the workhouse. In 1846, Samford workhouse suffered a particular spate of it; in January, three trampers were brought before magistrates and committed to prison for 14 days for 'destroying their trousers with a view to obtaining new ones at the expense of the workhouse.' On 8 April, 2 more trampers received the same sentence for a similar activity, whilst further cases followed in November and December, the trampers also refusing to do a job of work.[336]

So common had the practice become that in some workhouses 'cheap canvas trousers were provided to those who deliberately destroyed their clothing.' In desperation Camberwell supplied casual paupers with jackets with the words 'Camberwell Parish' and 'Stop it' imprinted on the back, before the Poor Law Commissioners prevented them from doing so.[337] A similar attempt to humiliate the vagrants was taken in Newmarket Union, where in December 1846 it was agreed that vagrants, having destroyed their trousers, were to be given 'petticoats or kilts of red baize', though it is unclear as to whether this was ever actually carried out.[338]Undoubtedly, in the long run, the casual vagrants established the upper hand, arguing that they needed to be decently dressed in order to gain employment outside the workhouse. There was little else the guardians could do, other than provide the clothes and prosecute those who destroyed them.

[336] SRO(I), ADA7/AB1/8, Samford Guardians' Minute Book , 14 Jan. 8 Apr. 18 Nov and 23 Dec. 1846.
[337] LMA, C/BG/15, West London Board of Guardians' Minutes, 13 Feb. 1849 cited in Green, *Pauper Capital,* p.178.
[338] SRO(B), 611/17, Newmarket Guardians' Minute Book, 15 Dec. 1846.

Riot

Ultimately, inmates could and did riot to 'negotiate' better conditions in the workhouse. In Suffolk, there was a long tradition of rioting amongst rural workers dating back to 1816, with further events in 1822 and the Swing riots of 1830. Archer however suggests that the labourers did not protest infrequently and dramatically, but 'all the time 'and it is in line with this idea of continual process that riots in Suffolk are seen. [339] Notwithstanding O'Brien's comments on the lack of vitality amongst southern paupers, these occurred at three workhouses in the 1840's and early 1850's. All took place in the winter months when workhouses were filled with able-bodied men and at least two were concerned with food.

That in the Shipmeadow workhouse at Wangford, proved the most long-lasting and the most serious. Its beginning might be seen on 8 February 1843, when all thirty five of the able-bodied men refused to leave the dining hall unless they had more to eat. When finally two of them agreed to go before the Board, they stated that although they had had their ration, they wanted more.[340]Since the issue was already being discussed by the visiting committee, no action was taken. The delay was to cost the poor law authorities dear, since on 22 November the inmates of the workhouse, drawing on traditions of incendiarism in East Anglia, set fire to the cellar in which a quantity of oakum had been deposited.[341]It was not until the 19 February that the Board of Guardians met with Sir John Walsham, the Assistant Poor Law Commissioner.

[339] John E. Archer, *By a Flash and a Scare; Incendiarism, Animal Maiming, and Poaching in East Anglia 1815-1870,* p.2.
[340] SRO(L), 36/AB1/61, Wangford Guardians' Minute Book, 8 Feb. 1843.
[341] SRO(L), Proceedings of the Suffolk Institute of Archaeology and Natural History Vol.23 1937-9 p.42-9. *Extracts from the diary of an inmate of Shipmeadow Union House 1837-1850.*

The meeting 'turned much against the governor.' In a rare testimony from an inmate who was not involved in the riot, he records that there were double celebrations, for the anniversary of Waterloo and because 'the present Governor of this establishment, after completing seven years of *misrule, tyranny and oppression,* on this day resigned his authority (which he never ought to have possessed.)'[342] He at least was in no doubt where responsibility for mistreatment lay. Though the master/governor was sacked to appease the discontent, food issues do not appear to have been dealt with until 1845 when a new diet was discussed. The decision at Cosford Union, following hard on the heels of the original riot at Wangford, to unanimously agree to an increase in the quantity of bread and potatoes, can surely have been no coincidence.[343]

In the Newmarket Union, the guardians' minutes state on 1 January 1850, that since their last meeting, the week before, 'there had been a riot in the workhouse' as a result of which five able-bodied male paupers had been committed to trial.[344]No mention was made for greater demands for food, but the workhouse was chronically overcrowded, holding over 126 more inmates than there was technically room for, in the winter of 1846.[345] The Poor Law Commission had been urging the Board to expand since the early 1840's, but had met with increasing hostility as discussed in chapter

[342] SRO(L) R942.64 *Extracts from the Diary of an Inmate of Shipmeadow Union House* 1837-April 1850, ed. Mrs. E. Mann in Proceedings of the Suffolk Institute of Archaeology and Natural History. Vol.23 1937-39 p. 42-49.
[343] *Ipswich Journal,* 11 Mar.1843.
[344] SRO(B), 611/18, Newmarket Guardians' Minute Book, 1 Jan.1850.
[345] SRO(B), 611/17, Newmarket Guardians' Minute Book, 22 Dec. 1846.

three. It was now suggested that they implement the Outdoor Labour Order, presumably to avoid excessive numbers in the workhouse.[346]

The third riot occurred at Barham, the workhouse for the Bosmere and Claydon Union in February 1851. The chief source for this event, (the Guardians' Minute Book for this period having apparently disappeared) is a letter written by the wife of Richard Bartholomew Martin, JP, to their son on 12 February 1851, giving details of the event. She states that 'the paupers declared that they had not enough to eat and that they would burn the house down.' They had set fire to two chimneys and broken the wall as well as smashing every pane of glass, tables and doors. Mrs. Martin claims that although fifty men were taken before the magistrates, very few were convicted and sent to jail.[347] Comparative reasonable handling of the perpetrators of the riots was no doubt recognition on the part of the poor law authorities of the limited extent to which they could go, if peace and good order were to be retained in the workhouse.

Examples of manipulation of workhouse law have been chosen to support the particular argument of paupers' own involvement in their treatment, an approach which Green would refer to as a 'considered strategy relating to workhouse rules that drew on notions of legitimacy and social justice.'[348]Clearly, however, not all opposition from inmates fell into this category, much of it might be seen as opportunistic, borne out of frustration with the particular circumstances in which they found themselves,

[346] SRO(B),611/18, Newmarket Guardians' Minute Book, 7 Jan. 1850.
[347] SRO(I). 942.64 BAR, Material for a History of Barham. The Riot at Barham Union House. Feb.1851.
[348] Green, *Pauper Capital,* p.187.

and it is important to recognise both approaches. Whatever the results of the various cases brought by paupers against the New Poor Law however, the fact remains that aided by the considerable anti-poor law movement outside the workhouse, paupers were active beings in their own treatment and could no longer be considered as mere 'Hodges'. Knowing that paupers were likely to 'fight' for their own rights and that ultimately, when urged on by able-bodied inmates would riot, must surely have made workhouse officials act more circumspectly to their charges in the workhouse.

Chapter 5

Discipline in the workhouse

The remaining three chapters examine key factors relating to the lives of paupers both in and out of the workhouse; namely, discipline, the development of poor law medical services and the provision of education. These issues have again being chosen as those which preoccupied the interests of guardians as evidenced in their minute books, as well as having a considerable amount of secondary literature expended on them. In this chapter, I have examined the use of food as a disciplinary method, since it appeared to me that by giving out extra food as rewards or with-holding food as a punishment, it was being used as a means of procuring the type of behaviour required in the workhouse. Certainly these processes were widespread both in Suffolk and throughout the rest of the country.

Discipline is defined in a number of ways in the Oxford English Dictionary, almost all of which can be applied to the system of government maintained in the workhouse. These definitions embrace key ideas of poor law thinking in the early nineteenth century with words such as control, order, rules, punishment, training and obedience.[349] The 1834 Poor Law Report had stated that pauperism and its rising costs was primarily due to the immorality and fecklessness of the workers. To improve this

[349] The full definitions are :-

1a. Control or order exerted over people or animals, especially children, prisoners, military personnel, church members etc.

1b. the system of rules used to maintain this control

1c. the behaviour of groups subjected to such rules

2a. Mental, moral or physical training

v.transitive – to punish or chastise

be under control by training in obedience.

situation, it was therefore considered necessary to create a system which would impose discipline on the workers at a minimal cost to the ratepayers, hence the workhouse system. This chapter aims to look at the social context into which these ideas were introduced and examine the ways in which workhouses imposed their discipline. It looks specifically at Suffolk, aiming to set it firmly within the national context.

Contemporary links between poverty, immorality and indiscipline

Lynn Hollen Lees argues convincingly for the establishment of a belief in the link between poverty and immorality which formed a sub-text of British culture from the early nineteenth century. She sees an early expression of such a view expressed in the words of John Lettsom, a medical doctor and philanthropist, writing in 1804, who set out the basics of the argument:

> The youth, by improper divisions of labour, is stinted in growth; and the organs upon which health depend are obstructed, and become diseased. If life is dragged on to puberty, vices are increased by the means of multiplying them – without education, religion, or morals, what restraints remain to stay the most dangerous and disgusting propensities?[350]

She goes on to argue how such ideas were picked up by popular writers such as Dickens and expressed in government reports such as that of Chadwick in his 1842 *Report on the Sanitary Conditions of the Labouring Population;* Dickens in his writings on London collected together as *Sketches by Boz,* accentuated the link between poverty and depravity, whilst Chadwick, (though as a Utilitarian no friend of Dickens) similarly expressed this link when he stated that , inadequate sanitation and derelict

2 J.C. Lettsom, "Seventh Letter on Prisons", *Gentlemen's Magazine* (1804), 1.491 cited in Lynn Hollen Lees, *The Solidarities of Strangers* (Cambridge, 1998), p.127.

housing 'tend to produce an adult population short-lived, improvident , reckless, and intemperate with habitual avidity for sensual gratifications'.[351] The view was also spread by writers such as James Grant, whose work appeared in a range of editions and forms during this period. Referring to the lower classes, he stated that, 'in the case of thousands indeed, all traces of morality are utterly effaced from their minds. They are as demoralised in their thoughts and habits …… as if they were living in the most heathen parts of the world.'[352]A similar view was also widespread amongst artists, particularly those who worked as cartoonists in newspapers and magazines. Hollen Lees tells us that in the illustrated magazines of the 1840's, hostility to the poor was common, with 'dirt, raggedness and disorder' going together in pictures of urban poverty.[353] It was within such a belief framework that the workhouse could be introduced by the 1834 Poor Law Amendment Act, as the best means of providing the discipline necessary for paupers to take their first steps out of poverty and immorality.

Workhouses

As hs been noted, the new workhouses, created by the 1834 Poor Law Amendment Act, were a symbolic as well as a practical manifestation of the functions of the New Poor Law; many of them were on the edges of towns, establishing the principle and practice of separateness from the rest of society, and were deliberately large and grim as a demonstration of the state's authority and purpose. Many of the early

[351] Edwin Chadwick, *Report on the Sanitary Condition of the Labouring Population of Great Britain 1842.* M. W. Flinn, ed. (Edinburgh 1965), p.423 cited in Hollen Lees, *The Solidarities of Strangers* (Cambridge, 1998), p.128.

4. James Grant, *The Great Metropolis* (London, 1837), p.275 cited in Hollen Lees, *The Solidarities of Strangers*, p.129.

[353] Lynn Hollen Lees, *The Solidarities of Strangers*, p.130.

workhouses had a central tower and radiating arms, giving control to the master of all parts of the workhouse. Such a design created an early and strong link between workhouses and prisons, the latter having been designed on the same principle. Cruciform designs were however more popular, though both types paid particular attention to the separation of classes, since the original suggestion of separate workhouses for different groups failed to materialise, largely due to cost.

Those opposed to the system were quick to criticise the similarity of the new workhouses to model prisons, since they felt it implied that poverty was being treated as a crime. This very feature however, was hailed as the root of future success of the system by those running it. Assistant Commissioner, Dr. James Kay stated that workhouses should be 'as prison-like as possible', whilst one of his colleagues, E.C. Tuffnell, remarked that 'their prison-like appearance …. Inspires a salutary dread of them.'[354] Their comparison to prisons was quickly to lead to the term of 'Bastilles' (after the notorious French prison which lay at the heart of the French revolution) for those opposed to the workhouse system, particularly after the publication of the work 'Book of the Bastilles' by Wythen Baxter' in 1841. However, many workhouses did not conform to the original Kempthorne plan and could not be said to convey the same messages. Green states that workhouses built in London after 1840 demonstrated a variety of styles; he describes the Greenwich workhouse as being of Elizabethan style, the Kensington workhouse, opened in 1848, as 'a handsome red brick building in neo-

[354] TNA MH 32/69, 24 Feb. and 31 May 1836 E.F. Tuffnell cited in Crowther, *The Workhouse System,* p.41.

Jacobean style,' whilst that at Fulham was built in an Italianate style 'with gables, pinnacles, projecting bays and Venetian windows.'[355]

The same argument applies to many of the workhouses of East Anglia, where few new workhouses were built, but instead the older and more grandiose Houses of Industry were used. Such workhouses did not possess the grim façade of those of Kempthorne; the Assistant Poor Law Commissioner for Suffolk, on his visit to the new Union in Stow shortly after its opening was surprised that 'Stow Hundred house had so palatial a character.'[356] Similarly, in Norfolk, a variety of architects and styles was used, one of the most important being that of W.J. Donthorne, whose architectural speciality was designing country houses. This clearly influenced his approach to workhouses, his construction of those in Downham Market, Aylsham and Erpingham reflecting the pauper palace tradition of the Houses of Industry. If such buildings did not convey the grimness of Kempthorne's constructions, they nevertheless conveyed the idea of separateness, being invariably built on the edges of towns, or deep in the countryside.[357]

Rules and punishment in the workhouse

Whatever the type of workhouse, the Poor Law Commission aimed to impose a strong uniformity throughout the system and attempted to impose discipline through regimentation. Such a process started from the minute the paupers presented themselves to the guardians. This usually took place in boardrooms, many of which

[355] David Green, *Pauper Capital* , p.119.
[356] Second Annual Report of the Poor Law Commission 1836, p.155.
[357] Anne Digby, *Pauper Palaces*), p.66-69.

had a dock, again indicating the treatment of paupers and prisoners. The processes which followed also had significant penal features, with families broken up, clothes taken away to disinfect and uniforms and institutional haircuts provided. Without privacy or personal possessions the individuality of the paupers was well and truly crushed. In addition, discipline was maintained in the workhouse by a series of Draconian rules. Bells controlled every part of the inmates' day for sleeping, work and meals, the latter often taken in silence.[358]

Punishment for failure to follow rules was a large aspect of discipline in inmates' lives and was designed to demonstrate to them, their place in the hierarchy of Victorian society. Punishment by the replacement of a normal diet, usually with bread and water, was a favourite of most workhouses for minor misdemeanours such as being rude to staff. It was easy to administer, cheap and was used widely, particularly in the more refractory workhouses of Bosmere and Claydon, and Wangford. In the former, Thomas Rogers was deprived of meat for abuse to the master and refusing to comply with his orders, whilst James Mayhew was to be put on bread and water for a week for 'using profane language.'[359] Similarly at Wangford workhouse, Mary Ann Sharman, a washerwoman, 'conducted herself in a riotous manner' and as a result was 'kept on bread and water for a week.'[360]

Punishments were inflicted on an escalating scale related to the perceived seriousness of the crime. For the deeply conservative guardians, protecting their financial

[358] Margaret Crowther, *The Workhouse System* 1834-1929, p.193-6.
[359] SRO (I), ADA2/AB1/4, Bosmere and Claydon Guardians' Minute Book, 1 Jul. 1839.
[360] SRO (L), 36/AB1/57, Wangford Guardians' Minute Book, 16 Dec. 1835.

investment in the workhouse as ratepayers, damage to, or absconding with, workhouse property was almost always dealt with more seriously than conflict between individuals. Thus whilst the Plomesgate minutes of 1842 show that regular offenders, Newson and Johnson and two others were found guilty of disorderly conduct and placed on bread and water for a week 'at a different table from other inmates',[361] in Stow union workhouse two males and three females were committed to gaol for seven and ten days respectively, the former for 'absconding from the workhouse with union clothing' and the latter for 'breaking the lock of the probationary ward and other damage, then absconding.'[362].

Further escalation of punishments can be seen in an incident in the Plomesgate workhouse where two regular offenders, Alfred Cattermole and Thomas Newson, having been found guilty of disorderly conduct were 'put on an altered diet for forty eight hours.' Later, following a report that they had 'refused to obey rules and regulations of the house in the dining hall,' the master was ordered, by the guardians, to lock them up in separate rooms for forty eight hours as refractory paupers.[363]

Refusal to work or do the required amount was also heavily penalised, work being an essential feature of discipline and rehabilitation into society. Thus, many of the cases involving refusal to work ended up in prison as a last resort, to teach inmates the error of their ways and their place in society, as well as keeping them occupied and out of

[361] SRO (I), ADA6/AB1/3, Plomesgate Guardians' Minute Book, 7 Feb. 1842.
[362] SRO (I), ADA8/AB1/24, Stow Guardians' Minute Book, 17 April 1847.
[363] SRO (I), ADA6/AB1/4, Plomesgate Guardians' Minute Book, 11 Dec. 1843.

trouble.[364]Examples are found in almost all guardians' minute books; in Plomesgate Union, Cornelius Perryman Brown, a regular offender, was sent to quarter sessions for refusing to work and 'committed for one month as an idle and disorderly person.'[365] Similarly, at Wangford, where there was considerable riotous behaviour in the winter months from 1839-1844, four men 'refused to work at the mill' and although being given the likely consequences of their behaviour, three of them continued to refuse and were duly 'committed to Beccles gaol for twenty one days hard labour.'[366] Examples can also be found at Bosmere and Claydon and Samford workhouses; Taylor and Brill two able-bodied men, refused work at the former and were gaoled for twenty one days,[367] whilst in the latter, six able bodied men were gaoled for fourteen days for refusal to work.[368]

Although it was unusual for women to be committed to gaol for refusing to work, examples are found at both Bosmere and Claydon workhouse and at Samford. In the former, Emma Smith along with James Mayhew, William English and James Francis was committed to gaol by the magistrate for 'refusing to work and misbehaviour in the workhouse.'[369] Similarly at , Samford, Mary Ann Dunnett refused to pick 1lb of oakum

[364] 29/29 in Samford over a period of 31 years, 10/15 in Bosmere and Claydon over a period of 18 years and 15/45 at Wangford over a period of 18 years, the remaining 30 being committed to the penitentiary wards.
[365] SRO (I), ADA6/AB1/3 Plomesgate Guardians' Minute Book, 1 Nov.1841.
[366] SRO(L), 36/AB1/59, Wangford Guardians' Minute Book, 30 Jun and 6 Feb.,1839
[367] SRO (I), ADA2/AB1/ 6, Bosmere and Claydon Guardians' Minute Book, 19 Jan., 1844.
[368] SRO (I), ADA7/AB1/9, Samford Guardians' Minute Book, 17 Jan. 1850.
[369] SRO (I), ADA2/AB1/4, Bosmere and Claydon Guardians' Minute Book, 22 Oct., 1838.

(the amount considered appropriate for her age and strength) and was brought before the magistrate and committed to gaol for fourteen days.[370]

Boys were treated slightly differently since they could not be brought before a magistrate before the age of ten. Given that the reform of children was essential to the future success of the workhouse, in its attempts to create independent working citizens out of its inmates, an alternative method of disciplining them needed to be found. The most common method of treating their misdemeanours was by birching, usually by the master in front of the schoolmaster, though occasionally by the latter. Such punishment might be given for a variety of 'crimes'; in consecutive entries, five boys in the Bosmere and Claydon workhouse were birched for 'absconding by climbing over the wall' and two for being disorderly.[371] The number of strokes are only occasionally given, as is the part of the body on which the punishment was inflicted, but an entry in the Ipswich records stated that twenty strokes were to be inflicted upon an inmate named Snell, for 'misconducting himself.' He was to be caned by the schoolmaster in the presence of the master, 'with a cane produced and approved by the Board.'[372] By contrast, two boys in the Newmarket workhouse school considered guilty of 'riotous behaviour and general misconduct,' were administered only six strokes, though to be inflicted on their bare backs.[373] . The pattern again appears to be escalating punishments in response to increased severity of 'crimes'. Flogging often followed other punishments which had failed to bring about the required

[370] SRO(I), ADA7/AB1/8, Samford Guardians' Minute Book, 1 Nov. 1846
[371] SRO (I), ADA2/AB1/6, Bosmere and Claydon Guardians' Minute Book, 18 Aug. and 6 Nov. 1843.
[372] SRO(I), DDA/28/2/12, Ipswich Guardians' Minute Book, Aug.1861
[373] SRO (B), 611/27, Newmarket Guardians' Minute Book, 7 Jun. 1870.

improvements in behaviour; Charles Barker aged thirteen, an inmate of the Plomesgate workhouse, was first locked up for 'disobedience and insolence' and when he broke a window and utensils, 'flogged with a rod by the schoolmaster, in front of the master.'[374]

In Wangford, there were a small number of persistently troublesome boys, who failed to respond to earlier confinements and restricted diet in the early years of the workhouse. By 1842, birching had become much more common, and when the schoolmaster sought assistance from the Board in dealing with them, they ordered the ringleaders to be whipped. This seemed to have little effect as the boys were frequently flogged again during the next few weeks; two of the boys, Syret and Punchard were flogged for absconding from their place of work. Punchard was further involved in 'the breaking of a square of glass in the old men's yard,' along with Darby and Ellis, and as a result were 'to be whipped on the back with a birch in the presence of the master and boys.' A fortnight later, Ben Hillen and William Syret were described as 'idle in the field.' In addition, Hillen was described as frequently using foul language to the schoolmaster and insulting him, as well as with others, refusing to attend school on two mornings, for which again, he was birched.[375] Such events indicate the powerlessness of the guardians to inculcate by force, the type of behaviour they sought.

[374] SRO (I), ADA6/AB1/1, Plomesgate Guardians' Minute Book, 6 Mar. 1838.
[375] SRO (L), 36/AB1/60, Wangford Guardians' Minute Book, 16 Feb. and 2 Mar. 1842.

With the arrival of the general workhouse, rather than segregated ones initially envisaged it was felt necessary to treat elderly men and women differently. They were not perceived to upset the order of the workhouse in the same way as boys and able-bodied men, and few therefore suffered the same punishments. These were usually administered in the form of withdrawal of privileges. Wood states that as early as 1836, 'the Poor Law Commission had recognized that the aged could be supplied with extras, usually in the form of tea, sugar and butter, commodities not usually awarded to able-bodied inmates.[376] From 1847, elderly couples were also allowed to share rooms, where such a facility existed. Such rules however were often ignored by guardians, Wood maintaining that they often claimed that 'many couples preferred to be separated.'[377] This ambivalence of guardians is shown by the Colchester Union in an article appearing in the *Essex Standard* in 1838. In allowing an elderly couple to share a room, the newspaper commented that they had room for four couples sharing but that 'some do not deserve the privilege and some wives want to go solo.'[378]

Examples of loss of privileges as a means of getting the elderly to conform to required behaviour are occasionally, but not frequently, found in the guardians' minutes. In the Bosmere and Claydon Union, George Jay, a pauper of over sixty years of age, refused to move some earth, having been declared fit enough to do so by the medical officer, was duly deprived of his supply of tea, sugar and butter.[379]Similarly, 'an older inmate' was accused of using abusive language and was also deprived of a proportion of his

[376] Peter Wood, *Poverty and the Workhouse in Victorian Britain* (Stroud, p.113.
[377] *Ibid.* p.114
[378] *Essex Standard,* 6 Apr. 1838.
[379] SRO (I), ADA2/AB1/6, Bosmere and Claydon Guardians' Minute Book, 3 Dec. 1841.

tea, sugar and butter.[380]Other misdemeanours from the elderly tended to involve 'spiritous liquor,' which the old men had brought into the workhouse at Barham on the night of 20 May, for which they were to be deprived of their 'butter, tea and sugar allowances.'[381] In Ipswich too, it was reported that two old men, John Sharman and Henry Holden had stopped out two nights and had returned intoxicated. As a result, they had been 'banned from the usual indulgences allowed to old men' and were only to be allowed out once a month instead of once a fortnight, as they were apt to come back intoxicated.[382]

Diet in the workhouse

Whilst the withdrawal of normal diet was used as a 'stick' with which to beat inmates into submission, the provision of extras for carrying out specific jobs in the workhouse was used as the 'carrot' with which to inculcate desired behaviour. In March 1855, the list of inmates receiving allowances of tea, porter and extra bread in the Ipswich workhouse included the 'scullery maid, cook's assistant, bread cutter, two nurses, five assistant nurses, the master's servant, carpenter, bricklayer, gardener, coalman, infant schoolmistress, errandman, shoemaker, tailor, head assistant male nurse, stonepitman, granite superintendent, two school assistants, three support washers, superintendent needlewoman and twelve washerwomen;' in all, a total of forty people being rewarded for extra services to the workhouse.[383] The issue embroiled the Ipswich workhouse in disputes with the Poor Law Board over a period of two years,

[380] SRO (I), ADA2/AB1/6, Bosmere and Claydon Guardians' Minute Book, 12 Nov. 1841.
[381] SRO(I), ADA2/AB1/6, Bosmere and Claydon Guardians' Minute Book, 20 May 1842.
[382] SRO (I), DD1/28/2/7, Ipswich Guardians' Minute Book, 17 Sept. 1853.
[383] SRO (I), DD1/28/2/8, Ipswich Guardian's Minute Book, Mar. 1855.

during which the latter claimed that the extra rations were not lawful and that by Article 112, ' all inmates were required to work to capacity' and could only be given extras if they had a particularly disagreeable job.[384] The Poor Law Board went on to state that they thought it important that all inmates should be treated the same to avoid discontent and make it easier to govern the workhouse, as well as preventing those favoured, from wishing to stay there. In other words the Poor Law Board was maintaining their principle of deterrence with regards to the workhouse. Many workhouses like Ipswich resisted this policy for some time. Crowther suggests that 'it was more economical to give beer to paupers who carried coffins, pumped water and acted as nurses.'[385]Ipswich clearly supported this idea, in its extension of food and drink 'rewards' to a large number of occupations. As ever, it also demonstrates a show of local power against that of central authority.

Whilst it is clear that the withholding of, or additional food supplies provided within the workhouse, were an essential part of the punishment and reward system, the issue of food itself provided an important aspect of the discipline of the house. Though initially, the principle of less eligibility had been applied to all aspects of workhouse life, this was not possible with regards food provision, since many of the poor outside the workhouse were already so near starvation level that to reduce supplies further would result in significant hardship. Six diet sheets were produced initially by the Poor Law Commission, the variety providing for the common diet of different areas. Though in theory, the diets provided sufficient calories to maintain subsistence, (160

[384] SRO (I), DD1/28/2/9, Ipswich Guardians' Minute Book, 12 Dec. 1857.
[385] Crowther, *The Workhouse System* 1834-1929, p. 197.

ounces for able-bodied men compared with 122 ounces as an average for independent labouring men) the diets were monotonous and of poor quality, consisting mainly of bread and cheese with meat in indigestible quantities only once or twice a week. The lack of variety of food was thus used as the deterrent, rather than the amount. [386] Nevertheless, there were regular complaints, from both paupers and independent groups such as visiting committees, largely due to contracts being tendered for impossibly low prices, which contractors were then unable to fulfil. Nor did the fact that there were regulations governing diet prevent them from being subverted by an unscrupulous or incompetent master, as the scandal at Andover demonstrated.[387]

Outbreaks of violence in the workhouses often surrounded the issue of food. In Wangford workhouse at Shipmeadow in 1843, the *Ipswich Journal* noted the 'disorder and confusion among the able-bodied paupers on a plea of insufficiency of food.'[388]Similarly, at a riot in the Bosmere and Claydon Union workhouse in 1851, the rioters declared that 'they had not enough to eat …… and would burn the house down.'[389]It may be that the riots were merely opportunistic, both being started by able-bodied men, the most likely to rebel. But, the complaints were nevertheless taken seriously enough by the guardians to involve some change in diet.

[386] Digby, *Pauper Palaces,* p.146.
[387] Brundage, *The English Poor Laws* p.87-88, Shave, *Pauper Policies* p.224-233.
[388] *Ipswich Journal* 18 Feb. 1843.
[389] SRO (I), 942-64 *History of Barham,* Letter from Mrs. J. Martin to her son Charles.

Work

Just as food and its withdrawal acted as a punishment as well as an essential part of the disciplinary system in terms of its monotony, so too did work. Poor law authorities however were ambivalent in their attitudes to the purpose of work. The Poor Law Report of 1834 had initially stated that, any work done should be useful, maintain a good relationship between worker and employer and that it should not be considered a punishment, its purpose being to re-habilitate and fit the worker for independence.[390] By the Second Annual Report of 1836 however, the status of work had declined; it now stated that work was to be of 'a laborious and undesirable nature' at rates of pay less than those of an independent labourer, to act as a deterrent from entering the workhouse.[391] The change of heart on the part of central authorities meant that they had little chance of achieving their original aims, particularly since the economic aims of work in the workhouses were equally ambivalent. On the one hand, where work was profitable, it raised the ire of local producers, who after the Napoleonic Wars were more likely to oppose 'inmates competing on the labour market.'[392] On the other hand, guardians could not afford for workhouse inmates to work at a loss. The final blow to the high ideals of the purpose of work in the Report of 1834 was inflicted with the use of work as punishment in the workhouses, giving it a final penal effect.

[390] Checkland, *The Poor Law Report* 1834, p. 450-1 cited in Crowther, *The Workhouse System* 1834-1929, p.197.
[391] Second Annual Report of the Poor Law Commission, 1836, p. 45.
[392] Crowther, *The Workhouse System,* p.197.

The type of work provided therefore, largely for able-bodied male inmates of the workhouse, was intended to provide labour not in competition with private enterprise; such tasks usually consisted of, stone breaking, bone crushing, spade husbandry, corn grinding and oakum picking. Oakum picking involved the separation of twisted strands of tarred lengths of rope for caulking of boats. It was also often extended to women as well, although they were more often found to be carrying out household duties such as cooking, cleaning and laundry. [393]

Longmate states that picking oakum was the commonest form of employment in the workhouses and Digby supports this by saying it was a favourite job, possibly because it could be done by all.[394] Amounts of required work varied, usually from around five pounds for men and three for women per day. The evidence in Suffolk also supports Longmate and Digby, with all workhouses, for which there is evidence, using oakum picking as a form of employment at some time or other during their history. The evidence for Suffolk seems to suggest that oakum picking was often employed when other forms of employment had failed. In January 1839, the Bosmere and Claydon Union record that the 'corn mill was to be discontinued for the summer' and the men that would normally operate the mill were to be employed picking oakum.[395] Similarly, the Newmarket Visitors' Book reported in February 1838 that there was no work for able-bodied men so 'a quantity of oakum (was) ordered.'[396]So too in Ipswich,

[393] Crowther, *The Workhouse System,*p.198.
[394] Norman Longmate, *The Workhouse*, p.254, Digby, *Pauper Palaces,* p.146.
[395] SRO (I), ADA2/AB1/4, Bosmere and Claydon Guardians' Minute Book, 3 Jan.1839.
[396] SRO (B), 611/92, Newmarket Visitors' Book, 6 Feb.1838.

it was agreed that 'all those not breaking stone, or those unemployed in the workhouse' should be required to pick oakum.'[397]

In spite of its widespread use, there were problems with oakum picking from both the institution's point of view and that of the inmates of the workhouse. Crowther states that although oakum picked was sold to the navy, it was rarely a profitable enterprise, often not even covering the costs of materials.[398]This is supported in the Woodbridge Union in May 1862 by a comment from the auditor who states that 'the junk (oakum) account is in debit £44.6.8d with only 30/- in hand', which he believed had been accumulating over many years.[399]In Samford workhouse, in February 1843, the master reported that he had run out of work for able-bodied men, so had gone to Harwich and had purchased 6-8 cwt. of material for picking oakum. By the end of May, he was stating that he was 'not able to find a purchaser for the oakum that would even cover the cost of the carriage.'[400]

From the inmates' point of view, the picking of oakum had become penal, often being used as a punishment and far-removed from the lofty ideals of the Poor Law Report of 1834. Suffolk workhouse records are full of this reversal of views; Cosford workhouse in October 1836, states its intention to procure half a ton of oakum 'for the purpose of employing within doors any idle or refractory characters who it may be desirable to employ.'[401]Wangford workhouse, in December 1841 also purchased oakum specifically for punishment purposes, demonstrated by an entry in the guardians' minute book,

[397] SRO (I), DD1/28/2/13, Ipswich Guardians' Minute Book, Jul. 1862.
[398] Crowther, *The Workhouse System* 1832-1894, p.198.
[399] SRO (I), ADA12/AB1/ 11, Woodbridge Guardians' Minute Book, 15 May, 1862.
[400] SRO (I), ADA7/AB1/6 Samford Guardians' Minute Book, 8 Feb. 1843 and 31 May, 1843.
[401] SRO (B), DC1/2/1 Cosford Guardians' Minute Book, 25 Oct. 1836.

which stated it was for use in the 'female penitentiary by disorderly paupers placed there.'[402]This attitude might well explain why many able-bodied paupers often refused to carry out this form of work.

A second key occupation for inmates of Suffolk workhouses was corn grinding and several workhouses initially considered buying corn mills for the purpose of grinding corn into flour. The large iron-framed mill could be worked by 8 – 16 men and produced about 15 bushels a day, whilst a smaller wood framed mill also existed, presumably employing fewer men. Mr. Fox of Clerkenwell, the seller of the corn mills gives evidence for their ubiquity; in reporting on their consideration of purchase, the Bosmere and Claydon state that Mr. Fox reported that they (the corn mills) 'had been adopted by many of the Unions'.[403]Though this may have been a selling ploy, the mention of corn mills in many of the Suffolk Unions would appear to support him.[404]In Newmarket, Mr. Fox was also said to be assisting a deputation examining corn mills in neighbouring Unions.[405] It is also clear that Dr. Kay, the influential Assistant Poor Law Commissioner for the region supported the use of corn mills, since the guardians of Wangford in February 1836 proposed that 'a hand corn mill be provided in line with Dr. Kay's recommendations.' [406]However, most Unions then took considerable time over the decision to buy, the use of the mill being fraught with difficulties as later events were to prove. The decision to actually purchase the mill at Wangford was not made

[402] SRO (L), 36/AB1/60, Wangford Guardians' Minute Book, 8 Dec. 1841.
[403] SRO (I), ADA2/AB1/2, Bosmere and Claydon Guardians' Minute Book, 12 Oct. 1835.
[404] Specific mention of Corn mills is made in Bosmere and Claydon, Ipswich, Newmarket, and Wangford Guardians' Minute Books.
[405] SRO (B), 611/12, Newmarket Guardians' Minute Book, 12 Jun. 1838.
[406] SRO (L), 36/AB1/57, Wangford Guardians' Minute Book, 3 Feb. 1836.

until July 1836, the original suggestion being postponed *sine die* in February 1836*,* and it does not appear to have been in operation until the winter of 1836-7.[407]Similarly, in Bosmere and Claydon Union, the decision to buy was postponed and again the mill does not seem to have been in operation until the winter of 1836, when it was stated that the Union was 'to buy the larger of the corn mills.'[408]

By the following winter, further outlay was required on the corn mills; in addition to the capital outlay, repairs were now required after only one season's use. In the Bosmere and Claydon Union, the guardians record that the corn mill was to be repaired on 21 February, 1837.[409] At Newmarket, it was stated in 1842, that 'repairs to the mill were more than the money set aside for it'.[410]In Wangford too, the mill is reported as needing repair in both March 1840 and April 1843, though presumably this did not prove possible as in 1846, the Poor Law Commission are again recommending the purchase of a corn mill, no work having been provided for the last two winters.[411]It seems clear that the corn mills were becoming very uneconomic to run, especially as the guardians also found it necessary to employ someone from outside the house to supervise the workers. In addition the corn mill stood idle for much of the year when there were few able-bodied to work it, these having reverted to seasonal employment during the summer months. Bosmere and Claydon reported in June 1843 that there were 'not enough able-bodied men in the House to keep the corn mill going,'[412]with

[407] SRO (L), 36/AB1/57, Wangford Guardians' Minute Book, 25 Jan. 1837.
[408]SRO (I), ADA2/AB1/2, Bosmere and Claydon Guardians' Minute Book, 2 Feb. 1836.
[409] SRO (I), ADA2/AB1/3, Bosmere and Claydon Guardians' Minute Book, 21 Feb. 1837.
[410] SRO (B), 611/14, Newmarket Guardians' Minute Book, 25 Jan. 1842.
[411] SRO (L), 36/AB1/59, 61 and 63 Wangford Guardian's Minute Book, 18 Mar. 1840, 5 Apr.1843 and 11 Mar.1846.
[412] SRO (I), ADA2/AB1/6, Bosmere and Claydon Guardian's Minute Book, 9 Jun. 1843.

similar references in both 1843 and 1845 in the Newmarket records.[413] Suggestions as to why the guardians continued to fund such uneconomic methods perhaps lie with the views of the Poor Law Commission. In 1844, following the riot in Wangford workhouse, the Assistant Poor Law Commissioner wrote to the guardians stating that he thought the lack of work was an issue in the riot and recommended the purchase of a handmill capable of 'employing at least 12 people.'[414] A similar view was expressed by Anne Digby on the situation in Norfolk, where she states that inmates were often left idle, giving them time to brood. She suggests that this sometimes led to riot, as at St. Faiths where husbands refused to leave their wives.[415]

The need to keep their able-bodied men out of trouble led many Unions to be inventive in their provision of work. For a number of years, Cosford workhouse maintained a successful farming enterprise, similar to that carried out in the old House of Industry, the master being granted permission to set up pig rearing for the house as late as 1857.[416] In Wangford too, farming appears to have been carried out profitably, well into the 1850's, the Guardians' Minute Book showing a credit of £50 in 1838 and profit for the years 1848-9 of over £140.[417] This was in stark contrast to Stow Union, which appeared to draw a line under its former existence by selling its pigs, its wool and worsted, and discharging its baker.[418] In Bosmere and Claydon workhouse, agricultural activities were limited to the boys, in line with Kay's recommendations for

[413] SRO (B), 611/15 and 16, Newmarket Guardian's Minute Books, 13 Jun, 1843 and 20 May 1845.
[414] SRO (L), 36/AB1/62, Wangford Guardian's Minute Book, 14 Feb. 1844.
[415] Digby, *Pauper Palaces.*.
[416] SRO (B), DC1/2/11, Cosford Guardian's Minute Book, 16 Nov.1857.
[417] SRO (L), 36/AB1/58 and 59, Wangford Guardians' Minute Books, 28 Mar. 1838 and 18 Apr. 1849.
[418] SRO (I), ADAB/AB1/19A, Stow Guardians' Minute Book, 19 Jan.1836, 8 Mar. 1836 and 29 Mar. 1836.

training as an essential part of education. At his request, the master was 'to procure 3 spades, 3 picks and other tools for employment of boys in the garden,' whilst the girls, like most females in the workhouse were to carry out domestic duties such as laundry, cooking and cleaning. [419]

For able-bodied men requiring jobs which consumed most of their energy, the occupation of stone-breaking was introduced in Ipswich, Newmarket and Plomesgate Unions. It is mentioned only once in the latter two Unions, but occupies a central position in the Ipswich records. [420] It was introduced here, on the recommendation of the Colchester Union, following a report from the master that a number of able-bodied young men were making little effort to obtain employment, and were of 'indolent and vicious habits.'[421] Clearly, the introduction of this occupation was of a punitive nature. Although the process appeared to be carried out from 1851-1864, it exhibited similar problems to the corn mill, from the constant need to repair hammers, to the provision of adequate supplies and markets.

In only three of the workhouses in Suffolk is there any mention of the infamous bone grinding for manure. In 1837, the Newmarket Union states it determination 'to advertise for a hand mill for breaking bones for manure.' [422] However,when the Poor Law Commission enclosed an order from the House of Commons in 1844 requiring details of bone crushing, Newmarket's reply was to state that 'no bones (were)

[419] SRO (I), ADA2/AB1/3, Bosmere and Claydon Guardians' Minute Book, 5 Sept.1837.
[420] SRO(B), 611/14, Newmarket Guardians' Minute Book, 11 Oct. 1842 and SRO(I), ADA6/AB1/4, Plomesgate Guardians' Minute Book, 29 May 1843.
[421] SRO (I), DD1/28/2/6, Ipswich Guardians' Minute Book, May 1851.
[422] SRO (B), 611/12, Newmarket Guardians' Minute Book, 14 Nov. 1837.

crushed at that workhouse.'[423]Ipswich merely records the receipt of the general order from the Poor Law Commission stating that all bone crushing is to stop from 1 January 1846. The circular was in response to the Andover scandal, where inmates involved in this job were stated to be so hungry that they ate the green and rotting gristle from the bones. The Ipswich records however, make no mention of ever having taken part in the process.[424] The only entry which looks completely unambiguous in suggesting bone crushing was taking place, is that of Woodbridge where an entry of 1845 in the guardians' minute book orders that the 'master employ able-bodied men in breaking bones now collected in the bone house.'[425]

Though picking oakum and stone breaking were the main occupations in Suffolk workhouses, guardians were ever inventive in their search of occupations for their inmates, in line with their belief in the importance of work as discipline. Thus, a wide range of employment was introduced at various times, from upholstery, sack making and picking cocoa fibre. But the employment at Newmarket, of separating black oats from white and then remixing for the process to begin all over again the following day, shows how far the poor law authorities had come from their original purpose of work. Such a useless task could only be considered penal.

Migration

The determination of workhouses to provide work, and the difficulty of finding it, as well as their desire to keep costs down, can be seen in their promotion of both a

[423] SRO (B), 611/16, Newmarket Guardians' Minute Book, 13 Aug. 1844.
[424] SRO (I), DD1/28/2/4, Ipswich Guardians' Minute Book, 8 Nov. 1845.
[425] SRO (I), ADA12/AB1/5, Woodbridge Guardians' Minute Book, 22 Jan. 1845.

migration and emigration policy. The former is described by Finer as one of Chadwick's 'cardinal causes.'[426] Following a long correspondence with the Ashworths of Bolton, local landlords and industrialists, Chadwick had ascertained that, whilst the south was heavily pauperized and overflowing with redundant rural labourers, the northern manufacturers were crying out for new labour. Following a detailed report by Kay, who also supported the migration of labour, an agency was set up attached to the Poor Law Commission, with two agents to act as liaison in Manchester and Leeds. Possibly due to the influence of Kay, Norfolk and Suffolk were to be by far, the greatest proponents of the scheme with two thirds of the 4,323 migrants coming from this area, with Suffolk sending about half.[427]The strong determination to promote this policy in Suffolk is demonstrated by the Woodbridge Unions circulation of 500 copies of James Peck's letter to the *Bury and Norwich Post*, concerning his satisfaction with his migration to, and work in Lancashire.[428]Similarly, 100 leaflets were distributed at Stow, from Mr Muggeridge, the Manchester agent.[429] However, not all migrations worked out well either from the employers' or the labourers' point of view. Some migratory workers from Stow are recorded as having broken their contracts making them dependent on local parishes, whilst the letters in Newmarket show that migration was not always carried out by the most useful workers. [430] A letter of November 1836 points out that some manufacturers in the north had commented on the 'idle and improvident disposition' of some of the workers sent and made a plea for

[426] S.E.Finer, *The Life and Times of Sir Edwin Chadwick* (London, 1952), p.123.
[427] Digby, *Pauper Palaces* , p.102.
[428] SRO (I), ADA12/AB1/1, Woodbridge Guardians' Minute Book, 1 Feb. 1836.
[429] SRO (I), ADA8/AB1/19A, Stow Guardians' Minute Book, 26 Apr. 1836.
[430] SRO (I), ADA8/AB1/19A, Stow Guardians' Minute Book, 26 Apr. 1836.

only 'honest, industrious and quiet people.'[431]The agency was, in any case, to collapse due to a depression in 1838, ending yet another attempt by workhouses to keep their costs down and their inmates occupied under the guise of discipline.

All employment suffered from the same problems in having conflicting aims. Whilst the Poor Law Report of 1834 had originally stated that work should be about rehabilitation, a strong element of Poor Law counter-culture ran across this in seeing work as punishment, the nature of jobs given to workhouse inmates reflecting this. So too was there an inbuilt conflict over whether activities in the workhouse were to be profitable. Guardians and particularly farmer guardians were conflicted over this, on the one hand wanting to keep costs down in the workhouse but on the other not wishing for production in the workhouse to compete with the open market. Given that the supplies of both able-bodied workers and materials for them to use were often in poor supply, many of the former often found themselves with little to do and turned to mischief-making within the workhouse.

Almost all aspects of the lives of workhouse inmates were subject to a discipline which local and central authorities felt they lacked in their personal lives, hence their poverty-stricken position. It was therefore a logical step for such authorities to impose that discipline, from issues as diverse as the architecture of the workhouse itself, to integral aspects of life spent there such as food and work. As Crowther has so tellingly pointed out however, 'in typical Poor Law fashion, severity of intent was often

[431] SRO (B), 611/1, Newmarket letters to the guardians. 3 Nov. 1836.

mollified by laxity of practice,'[432] producing a less tightly controlled and more varied regime than poor law central authorities had intended. Thus, whilst old Houses of Industry continued to serve a useful purpose, plans to build new ones in the grimmer design of Kempthorne were shelved, and whilst numbers of able-bodied in the workhouses declined over the summer, plans to buy corn mills were postponed, often leading to shortage of work the following winter. External factors also conspired to make systems unworkable, from the continual breakdown of machinery to the vagaries of the economic system in making markets uncertain. As a result many inmates of the workhouse appear to have remained unemployed for much of the time. Although this gave them opportunity for mischief-making, the evidence for Suffolk suggests not how many punishments were inflicted, but how few over the period 1834-1870, with the bulk of these being recorded in the early years of the workhouse.

Nevertheless, the epithet 'bastilles' as applied to workhouses was to stick and the system was to be held in terror by the poor, throughout the nineteenth century. The penal nature of many aspects of workhouse life such as the many rules, nature of food and work, were largely responsible for them being regarded as prisons. Hippolyte Taine, a French historian and critic of the nineteenth century, on a visit to a model workhouse in Manchester was to confirm this view; at a loss to explain why paupers preferred to accept the poorer diets and harsh living conditions outside the workhouse, he reached the conclusion that it was due to, deprivation of drink, loss of

[432] Crowther, *The Workhouse System* (London, 1981) p.199.

freedom, and discipline. Such conditions he believed made the poor regard workhouses as prisons and they 'considered it a point of honour not to go there.'[433]

[433] Hippolyte Taine, *Notes on England,* (London edn., 1957) p.241 cited in Peter Wood, *Poverty and the Workhouse in* Victorian *Britain,* (Stroud, 1991), p.102.

Chapter 6

The development of a poor law medical service

Paradoxically, the key factor shaping the development of New Poor Law medical policy was the failure of central government to provide any policy at all.[434] Such a failure meant that the initiative passed to the Boards of Guardians to negotiate terms and conditions with local medical officers. The development of medical services was thus necessarily 'piecemeal and pragmatic' resulting in a variety of practices, which signalled the failure of a uniform policy, one of the central planks of Chadwick's policy on the New Poor Law.[435] The first part of this chapter examines the ways in which these negotiations were carried out over such issues as terms of contract, rates of pay, size of districts, and not least, care for the sick. It shows how conflict arose at every turn over such issues, the guardians being anxious to keep the costs down, whilst the increasing professionalization of the medical profession took them in a totally different direction.

The second part of the chapter examines the development of the nursing profession, and its parallel, if delayed development, alongside that of medical officers. It also looks at how specialised medical institutions grew out of workhouse provision, and how the

[434] Historians are generally silent on the reasons for this, simply mentioning the fact of a lack of policy. See Anne Digby, *Pauper Palaces,* p.166.
[435] *Ibid,* p.166.

latter became the administrative organisation which provided the basis for the development of preventative medicine.

Lack of medical provision in the 1834 Act

From the end of the 16th century the link between sickness and destitution was tacitly acknowledged by the provision of a rudimentary medical service administered under the Old Poor Law. However, George Cornewall Lewis (one of the three Poor Law Commissioners, who replaced his brother, Thomas Frankland Lewis in 1839) stated that his own findings suggested in 1844 that 'the practice of giving medical relief systematically arose in the latter half of the last, (i.e. the 18th) century.' It was then that parishes began to appoint medical officers regularly, though he concedes that this was widespread only in the Midlands, the South and East. In a few urban areas, some institutional care was provided in the infirmary wards of a workhouse or in a separate workhouse infirmary. [436] Given this approach, and the fact that by the 1830s, nearly three quarters of all cases of pauperism were due to sickness, it was all the more surprising, that there was little mention of the importance of sickness as a cause of poverty in the 1832-4 Royal Commission of Enquiry on the Poor Laws. [437] C.P. Villiers, a member of that Commission of Enquiry, was to state in later years that the question of sickness as a factor in the production of pauperism was not referred to them. The Commission was simply to conclude rather lamely, that medical attendance was

[436]Select Committee *First Report ……on Medical Poor Relief* xi (1844): evidence Q. 2 cited in M.W.Flinn, 'Medical Services under the New Poor Law', in Derek Fraser (ed.), *The New Poor Law in the Nineteenth Century* (London, 1976), p.47.
[437] Digby, *Pauper Palaces,* p.166.

'adequately supplied and economically, if we consider only the price and the amount of attendance.'[438]

The 1834 Act similarly did little to provide guidance; the possibility of medical relief was mentioned in only one clause, which gave magistrates power to order medical relief in cases of sudden illness, though in fact gave no details as to how this should be provided. Two sections of the act however did have some relevancy – section 46 which permitted Boards of Guardians to appoint paid medical officers and section 109 which noted that 'a medical officer could be used to denote "any……. person duly licensed to practice(sic) as a Medical Man." ' [439] It was under these powers that Shave maintains that medical officers were appointed.[440] The failure however to classify the sick as a separate group, meant that no special provision was required in the form of sick wards in the workhouse, a factor which also explains the failure to mention a workhouse medical officer.

The failure of either the Commission of Enquiry or the 1834 Act to provide any policy on the treatment of the destitute sick, led the Webbs to suggest that this implied no change in existing practice, but that the sick would be dealt with in their own homes with relief and medical attendance.[441] Given that the sick able-bodied were exempt from all strictures on providing relief only in the workhouse, the old system was entirely compatible with the new. The assumption was that the workhouse would

[438] Joseph Rogers, *Reminiscences of a Workhouse Medical Officer,* ed. Thorold Rogers, (1898), cited in Flinn, 'Medical Services under the New Poor Law,'p.47.
[439] Poor Law Amendment Act 1834, 5 & 6 Vict., c.57, s 54 cited in Samantha Shave 'Immediate Death or a Life of Torture are the Consequences of the System' in *Medicine and the Workhouse* eds. Jonathan Reinarz and Leonard Schwarz, (Woodbridge, 2013),p.168.
[440] Samantha Shave, *Pauper Policies* (Manchester, 2017), p.200.
[441] Sidney and Beatrice Webb, *Poor Law Policy (*London,1910), p.46.

treat only those who became sick whilst in there. The failure to provide any more detailed policy than this is something of a mystery. Flinn states that Chadwick's original plans certainly included the categorisation and segregation of the sick poor in separate institutions, but that these got lost in the wider issue of dealing with the able-bodied poor.[442] Cost may also have been a factor, since institutional provision for the sick would have added significantly to capital expenditure, an issue of regular conflict between medical officers and poor law authorities.

Appointment of medical officers

In spite of the lack of guidance in the 1834 Act, almost all new Unions went on to appoint medical officers almost immediately, as well as making some limited provision for care of the sick in the workhouse. However, the lack of detailed policy or legislation laid down by poor law central authorities, was to ensure a wide variety of local responses, the very antithesis of the uniformity which had characterised New Poor Law thinking. Ruth Hodgkinson comments that 'in no sphere of Poor Law administration was the deference to pure central control deviated from, so much as in the supply of medical relief.'[443] The Poor Law Commission did belatedly attempt to establish a central policy through the General Medical Order of 1842 and the General Consolidated Order of 1847, but this did little to satisfy the growing professionalism of medical officers, in what they came to regard as the increasingly alien culture of the New Poor Law.

[442] M. W.Flinn, 'Medical Services under the New Poor Law', p.48.in (ed.) Derek Fraser, *The New Poor Law in the Nineteenth Century,* (London, 1976).
[443] Ruth Hodgkinson, *The Origins of the National Health Service* (London, 1967), p.3.

The Boards of Guardians in Suffolk, as in many other regions, were quick to divide their Unions into medical districts and appoint a medical officer for each, to provide outdoor medical relief for sick paupers. On 9 September 1835, at its first meeting, the Bosmere and Claydon Union agreed to put out advertisements for three medical officers to cover its three districts.[444] Similarly, the Unions of Stowe and Newmarket also acted early; decisions were taken to appoint or advertise for medical officers on 26 October, 1835 and 26 February 1836 respectively.[445] Cosford Union acted even more quickly, the Guardian Minute Book recording on 29 September 1835 that 'medical officers appointed for the Union (are) to commence their jobs from this day.'[446]As well as covering a particular district, these medical officers were also usually responsible for the health of the inmates of the workhouse on a rotation basis of three months to a year. Whilst such a system might appear to provide a safety net for the treatment of the destitute sick, in practice this was not always the case; clumsy administrative systems, poorly qualified and overstretched medical men as well as local authorities determined to keep costs low, often resulted in a second rate service.

Conflict between medical officers and workhouse personnel

Such a service was not helped by the frequent conflicts between medical officers and their fellow poor law officials, to whom they often considered themselves infinitely superior. Outside the workhouse, medical officers were only authorised to give

[444] SRO(I), ADA2/AB1/ 1, Bosmere and Claydon Guardians' Minute Book, 9 Sept. 1835.
[445] SRO(I), ADA8/ AB1/1/19A, Stow Guardians' Minute Book, 26 Oct. 1835 and SRO(B), 611/11, Newmarket Guardians' Minute Book, 26 Feb. 1836.
[446] SRO(B,) DC1/2/1, Cosford Guardians' Minute Book, 29 Sept. 1835.

medical relief to those referred to them by the relieving officers, the lynchpin of the new system. Such a system caused problems for the medical officers, in that it subordinated their medical expertise to that of laymen, thus rejecting their professionalism and severely limiting their power. It also mitigated against quick and efficient treatment since it often meant that families of sick paupers had to travel long distances to access medical relief, first to the residence of the relieving officer and then, having received an order for medical relief, to that of the medical officers. The nine medical officers of Newmarket emphasised the shortcomings of the system in evidence they gave to the Select Committee of 1844, pointing out that it was a six mile walk to the residence of medical officers for some paupers, creating considerable delay and consequent danger in tardy procurement of medical treatment. Similarly, Stewart and King, quoting from D. Jones *Rebecca's Children* states that the 'dying poor were …….. wheeled for miles on hand carts' in order to get relief.[447]

Medical officers were also often scathing about the ability of relieving officers to make medical judgements, and critical of the basis on which medical orders were issued. Richard Griffin, an experienced district medical officer and campaigner for reform, felt that relieving officers used their power 'to give or withhold orders as judgement prompts or caprice dictates.'[448] The medical officers of Newmarket similarly claimed that paupers were scared to apply to the relieving officers who rejected many applications for sick relief. The problem was acknowledged in a letter from the Poor

[447] J. Stewart and S. King, Death in Llantrisant: Henry Williams and the New Poor Law in Wales', *Rural History,* 15, 1, 2004 p.69-87.
[448] Richard Griffin, 'Poor Law Medical Relief', *Transactions of the National Association for the Promotion of Social Science* (1861), p.376 cited in Flinn, 'Medical Services under the New Poor Law,' p.49 .

Law Commission to the Newmarket guardians, in which the former requested that relieving officers be cautioned by the Board of Guardians, not to withhold medical orders from poor persons in need of medical relief, upon grounds which could only be safely decided upon by a professional person.[449]

The workhouse medical officer might also have a similarly uneasy relationship with both master and guardians. Although the medical officer had responsibilities for making recommendations on conditions in the workhouse which affected health, such as hygiene or overcrowding, he had no powers to see that his recommendations were enforced, again as he saw it, a slight on his professionalism. In the workhouse he was at the mercy of the master. Such a relationship could be resented; Joseph Rogers, medical officer of the Strand Union workhouse, clearly held the notorious master of the Strand Union, George Catch, in contempt, not just because he was barely literate but also because he believed Catch held the post of master through patronage of some of the guardians. Furthermore, Rogers believed Catch exploited his power over him, by calling him needlessly to the workhouse on spurious cases.[450]

As a known reformer Rogers was also to have difficulties with the guardians; one of them blamed him for being too indulgent to the sick, whilst another put notice on the agenda to reduce his salary, a threat that was renewed every time 'he spoke out of turn.'[451] Whilst there are no similar accounts by medical officers in Suffolk, it is clear

[449] SRO(B,) 611/2 Letters to the Newmarket Guardians, 1 Jul.1844.
[450] Joseph Rogers, *Reminiscences of a Workhouse Medical Officer* (Fairford, 2019), p. 19.
[451] Throughout his career, Rogers fought for reform of the workhouses, most notably giving evidence to the *Lancet* enquiry published in 1866. His evidence was very much responsible for Gathorne Hardy's Act which resulted in the creation of separate hospitals, initially in London and later larger towns such as

from the guardians' minute books that medical officers often jealously guarded their professionalism and were reluctant to accept the medical judgements of their 'lay inferiors.' This view was expressed strongly by medical officer Cooper in the Stow Union, in response to questions raised by the Board of Guardians on a case where he had failed to visit a patient but had nevertheless ordered an extra diet. He stated curtly that he could not 'consider it to be within the province of the Board (of Guardians) to dictate to the medical man whether and when it is necessary to visit a pauper.'[452] In point of fact, the guardians did have such power as the Poor Law Board was quick to state. Their response to Cooper was that the medical officer was not empowered to order extra diet, especially when he had not seen the patient. He was reminded that his powers were limited to recommendation only.

There were to be numerous clashes between medical officers and Boards of Guardians over what the latter considered to be unnecessary 'extras'. These were rations over and above those normally allowed, recommended by the medical officer on health grounds, in his professional capacity, but criticised by the Board of Guardians in the interests of economy of the workhouse. In the infamous Andover Union, Doctor Thomas Westlake, one of the Union's medical officers and a constant critic of the guardians, was considered by them to be 'forever lavishly prescribing every imaginable luxury from extra cheese to beef tea.'[453] Similarly in Suffolk, in the Plomesgate Union in 1844, following the auditor's report on the 'frequency with which

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Oxford and Cardiff. See Ruth Richardson and Brian Hurwitz, 'Joseph Rogers and the reform of workhouse medicine,' *British Medical Journal,* Vol.299, 16 Dec.(1989), p.218-225.

[452] SRO(I), ADA8/AB1/26 Stow Guardians' Minute Book, 13 Oct. 1855.

[453] Norman Longmate, *The Workhouse* p.124.

(medical officer Randall) made recommendation for extra nourishment of paupers in his district,' the Board of Guardians recommended that he confine this to paupers on his weekly list.[454] In the Newmarket Union too by 1855 the Board was commenting on the 'vastly increased amount of extra food and drink prescribed by the medical officers, which used to be rare but now seems almost commonplace,' whilst in the Samford Union, medical officers appear to have been called upon to justify their prescription of 'extras' over a number of years. [455] After the failure of discussions with individual medical officers to solve the problem, the guardians eventually enlisted the assistance of Walsham, the local Poor Law Inspector in 1863. The response of the medical officers is illuminating; medical officer Edwards maintained that in line with the demands of his profession he had provided extra rations where they 'preserved life or expedited recovery,' whilst medical officer Spurgin stated that he could not reconcile it with his conscience, if he did not provide what was needed.[456] A gulf was clearly opening up between the ideologies of 'less eligibility' and economy on the part of the guardians and the medical man's aim to cure his patient as a first priority.

From the medical officer's point of view, the root of the problem was in the failure of the laymen, (the relieving officers, master and guardians) to recognise his area of expertise. However, mistrust was not one-sided. The 'laymen' too had their reasons for mistrusting medical men. Kim Price suggests that for most of the Victorian period 'their ability to cure was justifiably questionable,' the practice of medicine having

[454] SRO(I), ADA6/AB1/4, Plomesgate Guardians' Minute Book, 15 Jan. 1844.
[455] SRO(B), 611/20, Newmarket Guardians' Minute Book, 16 Mar. 1855. SRO(I) ADA7/AB1/14 Samford Guardians' Minute Book, 5 Nov. 1863.
[456] SRO(I) ADA7/AB1/14, Samford Guardians' Minute Book, 19 Nov. 1863.

barely developed beyond the Renaissance.[457] There was also a great proliferation of quacks and charlatans in the profession and the slow response of their own organisations to introduce compulsory qualifications did little to help their professionalization. The view of Assistant Poor Law Inspector Tufnell, expressed as late as 1842 was probably one which was widely-shared. His contempt for the poor law medical officers was expressed in stating that 'like all men with a smattering of learning they are increasingly fond of using the hardest names the dictionary can supply. (They deceive the guardians into ordering) enormous quantities of mutton, wine, arrowroot etc.- an evil which is now daily increasing.'[458]

Medical qualifications

Price claims that the medical profession had 'neither a unified professional character nor an overarching government structure.' Medical officers under the poor law, like their medical brethren who operated privately, were in complete disarray.[459] Until 1815 there were no laws requiring medical practitioners to register, but by an act of that year, the Society of Apothecaries could prosecute any general practitioners who had not become a licentiate i.e. qualified by its exams.[460] Whilst such a licence was initially thought to fulfil the poor law's requirement for its medical men to be duly qualified, the Poor Law Commissioners were to state in their Second Annual Report that they did not wish to exclude from medical office, 'any persons whom the

[457] Kim Price, *Medical Negligence in Victorian Britain. The Crisis of Care under the English Poor Law* 1834-1900 (London, 2015) p.22. He also states that little progress was made in medical knowledge, John Snow's discovery that cholera was waterborne having to wait a further three decades for its explanation through Koch's work on bacteria.
[458] NRO MH 32/71, 15 Jul. 1842 cited in Crowther, *The Workhouse System 1834-1929*, p.159.
[459] Kim Price, *Medical Negligence in Victorian Britain,* p.25.
[460] Hodgkinson, *The Origins of the National Health Service,* p.66.

guardians may prefer, although he may only be authorized to act as physician or surgeon,' i.e. without a diploma from the Society of Apothecaries.[461] Pressure from the medical profession was ultimately to result in a demand by the Poor Law Commissioners in the Medical Order of 1842, for medical officers to have not only a licentiate from the Society of Apothecaries, but also a second qualification in the form of a diploma from the Royal College of Surgeons. In practice however, this was to have little effect on improving the poor law medical service, since medical officers were exempt from the Apothecaries' qualification if they had been in practice before 1815, as long as they had a diploma from the Royal College of Surgeons.

Competition

Poor qualifications were not the only factors conferring lowly status on poor law medical officers, the nature of the job in dealing solely with paupers, and their subordination to laymen also confirmed this. As late as 1920, professional meetings of doctors still referred to the poor law Infirmaries as 'little better than the rubbish heaps of practice', thus condemning those who practised in them. [462] Nevertheless, Crowther maintains that the medical profession was highly competitive, a situation used by guardians to keep salaries low. The desperation of one would-be medical officer is well-illustrated in an advertisement placed in the *Ipswich Journal* on 28 March 1840, where a Robert Lloyd, originally apprenticed to William Hamilton of Ipswich, states that he had 'expended all his resources on a medical education' and 'now wished to

[461] Second Annual Report of the Poor Law Commission 1836, cited in Hodgkinson, *The Origins of the National Health Service,* p.67.
[462] Crowther, *The Workhouse System 1834-1929,* p.156.

procure any employment, however menial, which would keep him from parochial relief.'[463]

It seems likely that many medical practitioners saw the poor law medical service as a backdoor to the private medical profession, and combined their poor law duties with private practice, often relinquishing the former when they became established. Dr. Clubbe, resigning in 1861 after less than a year as medical officer of the Mutford and Lothingland Incorporation, stated his reasons for resigning as being 'in consequence of the duties of the district and this house interfering too much with (his) private engagements.'[464]

As time went on however, Suffolk appeared to experience not a surfeit of medical officers but rather a shortage. Without the backing of a fully professional medical body, Poor Law Commissioners were sometimes grudgingly forced to accept that medical officers held only one of the two qualifications required, (that of the Society of Apothecaries and Royal College of Surgeons) since even lesser qualified practitioners were hard to come by. The Cosford Union successfully defended their appointment of William Barber as medical officer of the Lavenham district in 1843, by stating that although he only possessed the Apothecaries' qualification, he had been in practice since before the second qualification was required, and that he was the only candidate for the post.[465]A similar situation arose in the Plomesgate Union, in June 1844, where the Guardians had appointed the only candidate, Willson, for the Framlingham district

[463] Cited in Dr.Stutter, *Stutter's Casebook , A Junior Hospital Doctor,* 1839-41.ed. E.E. Cockayne and N.J. Stow (Woodbridge, 2005) p.xvi.
[464] SRO(L), 34/AB1/1,Mutford and Lothingland Incorporation Guardians' Minute Book, 25 Jun. 1861.
[465] SRO(B), DC1/2/4, Cosford Guardians' Minute Book, 13 Nov. 1843.

even though he only possessed the qualification of the Society of Apothecaries and not that of the Royal College of Surgeons. Again their arguments that he had strong testimonials, had practised for twenty two years and that there was no other medical man in the area, proved convincing.[466] In the same year, Stow Union was called on by the Poor Law Commission to review the appointments of three medical officers, Slaytor, Ebden and Kent who did not possess the required dual qualification. The Board of Guardians merely responded that all three were effective and experienced and that they did not want to lose them. They went on to add that, of the only other two medical men who lived in the appropriate districts, one had been previously employed and was rejected because of his irregularity in book-keeping, whilst the second was a gentleman of advanced years. Again the Poor Law Commission could do little but accept the explanation.[467]

Keeping costs down

A key feature in the relationship between guardians and medical officers was the determination of the former to keep costs as low as possible in the interests of the ratepayers who had elected them. The level of duties of the poor law medical officer was very much linked to size of districts, and methods and terms of employment, which again were issues on which central government had provided no guidance. By default, this responsibility devolved to local Boards of Guardians, thus creating a variety of practices. Unsurprisingly, given this preoccupation with keeping costs down, Boards of Guardians were keen to make districts as large as possible. This approach

[466] SRO(I), Plomesgate Guardians' Minute Book, 17 June 1844.
[467] SRO(I), ADA8/AB1/22, Stow Guardians' Minute Book, 27 Apr. 1843.

was quickly to evince widespread complaints by medical officers that districts were too large and inconvenient, leaving many paupers unattended. The Union of Banbury was not unusual in this respect; it contained fifty one parishes formerly attended by fourteen or fifteen practitioners. This was replaced by only three medical officers for the whole Union in 1836, one of whom held a district of thirty three parishes, fifteen miles in width. As Hodgkinson points out, under such circumstances, 'the prompt attendance on patients was impossible, and many died unvisited.'[468] Suffolk however, enjoyed some of the smallest districts in the country, thanks largely to the involvement of Dr. Kay, the local Assistant Poor Law Inspector, and a former medical man.[469] Both Norfolk and Suffolk medical districts were below the average size of twenty two square miles, Norfolk at twenty and a quarter square miles and Suffolk at a mean of sixteen and a half square miles. Even so, districts were still not considered small enough to produce efficiency and the British Medical Association was to go on to recommend that the average size of medical districts should be about ten to twelve square miles.[470]

Size of population of districts was also an issue between medical officers and guardians, and one which did not necessarily equate with its geographical area. In some areas population figures were immense. In giving evidence to the Select Committee of 1838, William Farr, one of the founders of medical stastistics, stated that some districts such as Dover, Leicester and the three districts of Bethnal Green,

[468] Hodgkinson, *The Origins of the National Health Service,* p.107.
[469] Digby, *Pauper Palaces,* p.166.
[470] Report of the Council of the British Medical Association, Apr. 1838 cited in Hodgkinson, *The Origins of the National Health Service,* p.112.

contained more than twenty thousand inhabitants. He concluded that the result of the medical officer having to attend so many patients was that 'he cannot examine the patients with sufficient care, though he may have the best of intentions…..; errors innumerable must be committed and those errors must lead to fatal results in many cases.'[471] The Medical Order of 1842 issued by the Poor Law Commissioners took note of the evidence given to the Select Committee, (though not its extent) in making it illegal for districts to exceed fifteen thousand acres (c. 23 square miles) or a population of ten thousand. In addition, the district medical officer was not to reside further than seven miles from any part of his parishes. Though there were undoubtedly some improvements as a result of the Order, there were also around twenty to thirty Unions that gained exemption, largely due to the shortage of suitably qualified medical men to fulfil the posts. Griffin reported in 1861 that there were 'no less than 583 districts with more than 15,000 acres' and some between 80,000-100,000 acres, 'and 120 districts with populations in excess of 15,000, some up to 40,000.[472] Thus, considerable numbers of paupers remained inadequately treated, and the search for uniformity foundered.

Lack of uniformity in methods of selection and payment of medical officers provided a further factor which continued to be an obstacle to good relations between medical officers and Boards of Guardians, a situation which had again arisen from the failure of the 1834 Act to lay down any procedures. This view was confirmed by The British

[471] Evidence given to the Select Committee 1838 by William Farr, cited in Hodgkinson, *The Origins of the National Health Service,* p.110.
[472] Richard Griffin, 'Poor Law Medical Relief', *Transactions of the National Association for the Promotion of Social Science* (1861) cited in Flinn, 'Medical Services under the New Poor Law,' p.55.

Medical Association, which was to state that some of the greatest evils arose from the variety of practices, which they felt compromised treatment of sick paupers by medical officers.[473] Such methods ranged from a system of tender by individual medical practitioners, to fixed salary contracts usually advertised in local papers, inclusive or exclusive of extra rations of food for the sick, or payment on a *per capita* system of patients treated.

Initially, the practice of offering tenders was widespread; it was beloved by Boards of Guardians because it allowed competition to beat down the price, though it could severely affect the quality of medical officers where the lowest tender was taken in opposition to character, personal qualifications and place of residence.[474] Dr. Kay pointed out to the House of Commons Select Committee on Poor Law medical issues in 1838, that a system of tenders should not be used if the best medical practitioners were required.[475] The practice of tendering, claims J.E. O'Neill, was 'eminently distasteful to the medical profession and open to the worst abuses of jobbery.'[476] Nevertheless, medical men were prepared to accept the tender system as Flinn points out, because of the overstocked nature of the profession, and because it provided them with a foothold in it.[477] Poor Law appointments enabled them to establish a wider practice of paying patients to which most medical men aspired. It was tacitly

[473] The British Medical Association was a body set up to look after the interests of provincial medical men but remained poorly managed according to Price, *Medical Negligence,* p.26. Hodgkinson, *The Origins of the National Health Service,* p.13.
[474] S. Shave points out in *Pauper Policies* that tendering implied that Medical Officers were employed for their 'willingness to accept low wages, rather than skills.' p.209.
[475] Select Committee on the Poor Law Amendment Act, 44th, 45th and 46th Reports (Medical Enquiry) House of Commons. Parliamentary Papers 1837-8. Paper 518.
[476] J.E. O'Neill, 'Finding a policy for the Sick Poor', *Victorian Studies,* 7/3 (1964), p. 265 – 284.
[477] Flinn, 'Medical Services under the New Poor Law,' p.50.

recognised as stated by Tufnell, an Assistant Poor Law Commissioner, that the low wages produced by the tender system were supplemented by 'the experience they (the medical officers) acquire, which brings them credit and private patients.'[478]

Although the system of tenders was not widespread in East Anglia – Digby states that the system was never resorted to in Norfolk - it was used in Suffolk in the Wangford Union.[479] In December 1836, the Board of Guardians recorded that in future, medical officers were to tender services for attendance on paupers.[480] The worst aspects of the system may however, have been mitigated by the Board's claim that they 'wouldn't necessarily accept the lowest tender, but would also look at skill, knowledge and personal qualifications.'[481] The stipulation was repeated in response to enquiries from the Poor Law Commission on medical organisation in 1841, when the Board stated that positions were still tendered but that they had not necessarily taken the lowest and furthermore had also given wage rises without being importuned by the medical officers themselves.[482] Though the response of the Poor Law Commission is not recorded, it seems likely that Wangford came into line with the rest of the county, when the practice of advertising for medical men by tenders was made illegal in the General Medical Order of 1842.[483]

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[478] From MS report by Tufnell, cited in S.E. Finer, *The Life and Times of Edwin Chadwick* (London, 1952), p.159.
[479] Anne Digby, *Pauper Palaces,* p.166.
[480] SRO(L), 36/AB1/57, Wangford Guardians' Minute Book, 7 Dec. 1836.
[481] SRO(L), 36/AB1/57, Wangford Guardians' Minute Book, 11 Jan. 1837.
[482] SRO(L), 36/AB1/60, Wangford Guardians' Minute Book, 10 Mar. 1841.
[483] Kim Price, in *Medical Negligence in Victorian Britain,* p.28 tells us however that this clearly had little effect since it was restated in the Consolidation Orders of 1855, 1857 and 1859 and even then guardians got round the ban by allowing Medical Officers with a single qualification to be employed on a yearly basis if there were no properly qualified applicants for a post.

More common in Suffolk was the system of advertising a fixed salary (in local, and sometimes national or professional papers such as the *Lancet*), stating the amount of salary, and the responsibilities required in return. The advertisement placed by the Stow Union in the *Ipswich Journal* in November 1835 is typical of, if more comprehensive than many of the earliest requirements of Poor Law medical officers; it gave details of the three districts for which medical officers were required, offering a relatively generous salary of £100 per annum. It went on to state its demands as, the provision of 'medicine, attendance on the sick, and such midwifery as may be required by the Board of Guardians, surgical instruments (trusses excepted) and operations.' As a coverall, it went on to add 'every other matter necessary for treatment of disease and accident.' The poor in the workhouse were to be attended in the workhouse by rotation of the three medical officers, or the latter could make their own arrangements subject to the approval of the Board.[484]

Under such a system guardians benefited financially; they were able to refer paupers to the medical officer indiscriminately, knowing there would be no extra cost. On the surface, it would also appear that paupers would benefit from such a system, their treatment being assured. However, because of low wages, medical officers were often reluctant to pay out for expensive medicines and so many paupers failed to get the treatment necessary. Joseph Rogers, medical officer to the Strand Union for many years, stated that the salary he initially received of £50 per annum was too little to supply the necessary medicines required of him.[485] Doctor Rumsey, a well-known

[484] *Ipswich Journal,* 7 Nov. 1835.
[485] Joseph Rogers, *Reminiscences of a Workhouse Medical Officer,* ed. Thorold Rogers .p.15

medical reformer, maintained that the poor could not properly be treated until the cost of drugs was provided by ratepayers rather than practitioners. William Farr tacitly supported this view; having undertaken an analysis of the question, he claimed that the existing system led to a wide variation in treatment. Where the medical officer was prosperous, the poor might receive medicines on a par with those of the rich, but in other areas, where the medical officer was less prosperous, it was found that they failed to prescribe the ten to twenty most expensive drugs recommended by eminent surgeons and physicians, as being the best for aiding recovery in particular illnesses.[486] Eventually even the poor law authorities were to recognise the shortcomings of the system; in giving evidence to the Enquiry of 1866 to gain abolition of the system, the Assistant Poor Law Inspector, Farnell, supported the move, reiterating the views of Rogers that the inevitable result (of such a system) was that the sick poor did not get the medicines that they needed.[487]

The question of who was to supply the often expensive medicines was clearly an important issue and one which added to disagreements between central poor law authorities and the local Board of Guardians. The former was to recommend to local Boards of Guardians that the responsibility of providing expensive medicines such as cod liver oil, quinine and opium should lie with them. However, it took fifteen months to send the recommendation and even then, many parsimonious Boards of Guardians failed to act upon it. In some Unions this recommendation had been made in a circular from the Poor Law Board before the results of the 1866 Enquiry. In May 1865, the

[486] Explanatory remarks on statistics compiled at St. George's Hospital, 1844. Cited in Hodgkinson. *The Origins of the National Health Service,* p.35.
[487] Joseph Rogers, *Reminiscences of a Workhouse Medical Officer*, p.24.

Cosford Guardians responded to this circular on provision of cod liver oil and quinine, by stating that they 'saw no reason for altering their present arrangement with medical officers.'[488] A similar response was elicited from the Newmarket Union. In March 1866, the Poor Law Board sent a letter to the guardians enquiring about the arrangements they had made in response to the recommendations of the Select Committee of the House of Commons on supplies of medicines. The Clerk was directed to respond as in the Cosford Union, that the guardians saw 'no reason for altering their present arrangements.'[489]

Other Unions however, were slightly more conciliatory; though Plomesgate Guardians declined to change the existing contracts of medical officers, they promised to consider drug supply as an issue in any future arrangements.[490] Similarly, the Samford Union agreed to go part way to satisfying the requirements of the Poor Law Board, by resolving that a supply of cod liver oil would be provided at the workhouse.[491] Nevertheless, Thorold Rogers claims that as much as twenty years later, he found several Unions where the Poor Law Board's recommendations were not applied, allowing poor treatment of some paupers to continue.[492]

Though many medical officers continued to be responsible for the provision of drugs and medicines even after recommendations of the Poor Law Board, from the 1840's their contracts began to be less inclusive in other ways. An advertisement in 1844, by

[488] SRO(B), DC1/2/14, Cosford Guardians' Minute Book, 15 May 1865.
[489] SRO(B), 611/24, Newmarket Guardians' Minute Book, 13 Mar. 1866.
[490] SRO(I), ADA6/AB1/9, Plomesgate Guardians' Minute Book, 19 Jun. 1865.
[491] SRO(I), ADA7/AB1/14, Samford Guardians' Minute Book, 20 Apr. 1865.
[492] Rogers, *Reminiscences*, p.26.

Hartismere Union for medical officers for its three districts, offered salaries exclusive of vaccination, surgery and midwifery services, for which varying rates might be fixed.[493] Other Unions were to specify rates for extra services, Plomesgate setting fees at 12/6d for midwifery cases and 2/6d for successful vaccination.[494] This should have ensured prompt and efficient treatment from medical officers, but although the 1842 Order of the Poor Law Commission laid down specific rates for midwifery and other surgical cases, medical officers often had difficulty in getting claims met by the guardians. Bosmere and Claydon guardians were to enter into a long correspondence with Dr. Lock, one of its medical officers over his claim for £1 for a midwifery case he had attended, stating that their normal fee was 10 shillings.[495]

The situation was exacerbated by the fact that medical officers were not required to attend cases of midwifery unless they were particularly difficult ones, giving further scope for Boards of Guardians to avoid payment. Dr. Crickmay's claim for 10/6d for attending the wife of James Dand, was contested by the guardians of the Wangford Union because they stated that it was not such a difficult case that he needed to attend.[496] Surgical operations were even more of a vexed question, payment only being assured where such operations were listed by the central poor law authorities; medical officer White of the Cosford Union was denied a claim of £3 for such a common occurrence as setting a fracture. Similarly, following the removal of bladder stones or lithotomy, (a frequent problem for paupers probably due to poor diet,) by

[493] *Ipswich Journal,* 1 Jun. 1844.
[494] *Ipswich Journal,* 29 Jul. 1865.
[495] SRO(I), ADA2/AB1/10, Bosmere and Claydon Guardians' Minute Book, 16 Oct. 1857.
[496] SRO(L), 36/AB1/60, Wangford Guardians' Minute Book, 15 Sept. 1840.

Dr. Currie in the Wangford Union, the Poor Law Commissioners advised the Guardians that no particular fee for lithotomy was laid down in the General Order, but that they could provide remuneration if they wished.[497] With payment so uncertain, little wonder if necessary operations were not carried out and the health of paupers was neglected.

A final method of remunerating medical officers was on a *per capita* basis, according to the number of patients treated. Such a method was unpopular with guardians because it tended to be more expensive; it is perhaps surprising therefore to find it in use in the impoverished Union of Newmarket. In renewing contracts for its nine medical officers in 1845, remuneration was fixed at 2/6d. per head for each permanent pauper, with special cases demanding all-year treatment set at 7/6d. Surgery and midwifery cases were again to be paid according to lists laid down by the Poor Law Commission.[498] A long drawn-out discussion followed between the guardians, medical officers and Poor Law Commissioners in which the latter attempted to persuade the guardians to move towards a system of fixed salaries. The proposal was first mooted in 1845, though rather surprisingly, given that it was a cheaper method, the Board of Guardians resisted. The reluctance of the Board to change the system, perhaps owed more to the antagonism between them and central authority, rather than any real opposition to the system. Ultimately, whilst there was no stated change in overall policy, the guardians appear nevertheless to have introduced the system; on the appointment of William Addison of Soham in August 1853, the guardians recorded that

[497] SRO(L), 36/AB1/61, Wangford Guardians' Minute Book, 18 Oct. 1843.
[498] SRO(B), 611/16, Newmarket Guardians' Minute Book, 25 Mar. 1845.

they would 'experiment with a new payment system of fixed salary based on the average per case system for the past three years.'[499] Similarly, when medical officer Miller died in November 1856, an advertisement went out at a 'fixed salary of £50 per annum to include attendance on all paupers in the district, excepting midwifery cases, fractures and vaccination fees.'[500] Although such changes made a move to uniformity, they did not necessarily ensure better treatment for paupers. Whilst Hodgkinson argues that *per capita* payments to medical officers often meant that relieving officers and guardians withheld medical relief, the fixed salary system could lead to medical orders being given out indiscriminately, leading to overworked and underpaid doctors, a factor which could seriously affect the treatment of pauper patients.[501]

In addition to the varied requirements of their contracts, medical officers were also offered varied types of contracts. It was the tendency of some Boards of Guardians to employ their medical officers on annual contracts. Such contracts had the ability to inhibit independent medical judgement, since renewal of contracts would depend on giving satisfaction to the Board of Guardians. It thus gave the latter the upper hand in the complex relationship between them and their medical officers. A guardian of the Stepney Union and former medical man himself, testified to this problem. In evidence given to the Select Committee of 1844 he stated that in his own Union, where medical

[499] SRO(B), 611/20, Newmarket Guardians' Minute Book, 12 Aug. 1853.
[500] SRO(B), 611/21, Newmarket Guardians' Minute Book, 21 Nov. 1856
[501] Hodgkinson, *The Origins of the National Health Service,* p.13.

men had reported on the nuisances affecting the properties of guardians, their contracts had not been renewed.[502]

Such control was also evident in Suffolk, in the re-appointment of the Newmarket workhouse medical officer Faircloth in 1843, whose post was 'to be considered permanent during good behaviour.' [503] Even in the 1850's the practice of annual contracts was found to be common in many places; the *Bradford Observer* for example revealed in 1851 that the guardians of the town still elected its medical officers annually[504]. Three years later, evidence provided to the Select Committee on Poor Law medical relief, showed that almost half of the 3,100 medical officers were on annual contracts. The procedure was similarly widespread in Suffolk. As a result of this situation, the Poor Law Board were to issue a recommendation that any medical officer engaged after 25 March, 1855 should continue in office until he died, resigned, became disqualified or was removed by them. Like many of the Board's recommendations however, this too continued to be evaded. The chief stumbling block to change in Suffolk appears to have been the fact that many medical officers did not reside in their administrative districts, thus debarring them from permanent contracts; in January 1858, medical officer Addison in the Newmarket Union was typical of many in having his contract renewed for the year, 'there being no other medical practitioner living in the district.'[505]

[502] Cited by Hodgkinson, *The Origins of the National Health Service,* p.118.
[503] SRO(B), 611/13, Newmarket Guardians' Minute Book, 23 Mar. 1841.
[504] Cited by Hodgkinson, *The Origins of the National Health Service,* p.340.
[505] SRO(B), 611/21, Newmarket Guardians' Minute Book, 15 Jan. 1858.

Duties of the workhouse medical officer

As well as the list of duties outlined for district medical officers, those with responsibility for the workhouse had a number of others, as laid down in Article 78 of the workhouse regulations and restated in the Second Annual Report of the Poor Law Commissioners; such duties included examining new inmates, visiting at the request of the master where inmates were taken ill, examining into and certifying any deaths and prescribing diets for sick paupers and young children. To these were added, following the General Consolidated Order of 1847, recommendations on matters of hygiene, ventilation and numbers in the workhouse which might affect the health of inmates. As with district medical officers, the system was highly bureaucratic, with Boards requiring regular reports. Individual Boards of Guardians were at liberty to fix attendance levels at the workhouse of the medical officer; twice a week seems to have been a minimum requirement in Suffolk. The Wangford Union laid down Wednesdays and Saturdays as the days required for the visit of the workhouse medical officer, though it added 'and other times if required,'[506] whilst the Bosmere and Claydon Union similarly required the 'House Surgeon to visit the house at least twice a week.'[507] The Newmarket Guardians however, always eager to get their money's worth, required its medical officer 'to attend the workhouse at least once a day.'[508]

From the late 1840's, it gradually became the practice to employ a single permanent medical man as medical officer for the workhouse. A committee set up by the Ipswich

[506] SRO(L), 36/AB1/58, Wangford Guardians' Minute Book, 1 Mar. 1837.
[507] SRO(I), ADA2/AB1/2, Bosmere and Claydon Guardians' Minute Book, 26 Oct. 1835.
[508] SRO(B), 611/11, Newmarket Guardians' Minute Book,10 Mar. 1837.

guardians in 1846 considered the system would be 'better in uniformity of treatment , (provide) better regulation and discipline of Infirmaries and (be) beneficial to both patients and nurses.'[509] Earlier steps had already been made to put such a system in progress in other Suffolk Unions; in Newmarket, a separate position of workhouse medical officer was set up in March 1837. In other areas guardians were less quick to appreciate the benefits of such a system; [510] in the same year in the Cosford Union, the arrangement was declined by the existing medical officers as offering too low a salary and being 'incompatible with professional engagements.'[511] However, when the Bosmere and Claydon Union declined to accept the recommendation of a separate workhouse medical officer in February 1849, they were reminded that they were now required to comply with the General Consolidated Order stating that there should be a Medical Officer 'to attend the workhouse with a separate salary for that duty.'[512]

Whilst such a move would clearly provide some continuity and uniformity of treatment in the workhouse, it did little to attract better and more–qualified medical men. As with their fellow district medical officers, remuneration for such posts remained low and a constant source of negotiation between them and the Board of Guardians. Initial salaries for workhouse medical officers were particularly low; Ipswich originally offered twenty guineas to its workhouse medical officer, but even when this had been raised to almost twice that amount at £40 per annum, the Poor Law Commissioners

[509] SRO(I), DD1/28/2/5, Ipswich Guardians' Minute Book, 25 Apr. 1846.
[510] SRO(B), 611/11, Newmarket Guardians' Minute Book, 10 Mar. 1837.
[511] SRO(B), DC1/2/1. Cosford Guardians' Minute Book, 30 May, 1837.
[512] SRO(I), ADA2/AB1/8, Bosmere and Claydon Guardians' Minute Book, 9 Mar. 1849.

still suggested it was too low.[513] Similarly, the initial salary offered to the workhouse medical officer in the Newmarket Union of £25 per annum in 1837, had been raised to twice that amount two years later.[514]

In order to make their position financially viable it became common for the workhouse medical officer to combine this position with that of medical officer for one of the districts. Nevertheless complaints of underpayment were frequent; that of medical officer Robert Growse in 1855 in the Cosford Union was typical of many, in calling attention to the 'great increase in pauper cases since salaries were fixed' and the increase in the number of medical orders given by the Board, without any corresponding increase in salary.[515] The pleas of medical officer Faircloth in the Newmarket Union had similarly fallen on deaf ears; his letter to the Board in 1855 referred to letters from the previous three years in which he outlined his increased duties, but pointed out that in spite of promises 'no redress had been received in increased remuneration or reduction of duties.'[516] Similarly matters had progressed little in Mutford and Lothingland by 1861, where Dr. Crickmay, after being appointed for only three months wrote to the guardians stating that he 'found work requirements disproportionate to salary.' He too however, failed to gain any redress.[517]

[513] SRO(I), DD!/38/2/5, Ipswich Guardians' Minute Book, May 1847.
[514] SRO(B), 611/12, Newmarket Guardians' Minute Book Mar. 1837 – Mar. 1839.
[515] SRO(B), DC1/2/9, Cosford Guardians' Minute Book, 19 Feb. 1855.
[516] SRO(B), 611/20, Newmarket Guardians' Minute Book, 19 Mar. 1855.
[517] SRO(L), 34/AB1/1, Mutford and Lothingland Incorporation, Guardians' Minute Book, 31 Dec. 1861.

Assistant medical officers

It is difficult to assess whether Suffolk fared better in terms of remuneration of its medical officers than other counties, or indeed how Unions compared with each other within Suffolk, since the amounts paid and size of districts varied widely over time. Rates of pay also changed with changing systems of remuneration. Nevertheless some comparison is possible from the statistics provided by William Farr for the year 1837; these show that the average size of medical districts in both Norfolk and Suffolk was 22 square miles. Superficially it would appear that Suffolk medical officers got a better deal with average salaries of £72 per annum compared with £65 in Norfolk. However, the actual caseload in Suffolk at 525, was almost twice that of Norfolk at 275, making the Suffolk medical officers relatively less well paid.[518] Without more refined techniques of comparison it is perhaps only possible to suggest that given the regular demands for higher salaries from both medical officers and central poor law authorities as shown above, remuneration was too low to attract the best possible medical practitioners wholly to the poor law service. As demonstrated, medical officers of poor law Unions were forced to, or even expected to combine such positions with that of private practitioner, though this had the unfortunate result of leaving often unqualified assistants to deal with poor law responsibilities.

The above practice was highlighted by the General Consolidated Order of 1847, in which medical officers were reminded of the requirement for them to personally attend their patients and guardians were urged to discourage the practice of

[518] Farr MSS, Vol.III 1838, p.389 cited in Hodgkinson, *The Origins of the National Health Service,* p. 109.

employing unqualified assistants. Even so medical officers were slow to follow such recommendations; a low key enquiry was made by the Newmarket guardians in 1851, who noted that the assistant of George Peskett, the workhouse medical officer, had 'only visited the house once during his (Peskett's) absence.' It also stated their belief that he was not qualified as required. Their continued response to Peskett was however conciliatory, simply suggesting that 'in future things should be done in a regular way, so as to avoid a liability to all unpleasant observations in case anything of an unseen nature should unhappily occur.'[519] In 1853 the Ipswich guardians too were still questioning both the issue of unqualified assistance and the regularity of its use. The clerk was instructed to write to medical officer, Webster Adams, to ask if his assistant was legally qualified, whilst later in the year the Board was questioning the workhouse medical officer, Elliston, on the alleged delegation of his responsibilities to his assistant.[520] A reiteration of the requirements of the order of 1847 in a Poor Law Board circular of 1868, would tend to suggest that such practices were still widespread at this time.

Little had changed in the conditions of employment for medical officers by the end of the period studied in this thesis. As Flynn states, 'in the early days the medical officers had concentrated their principal efforts on methods of appointment and payment of district medical officers,' (there being no provision made by the Poor Law Amendment Act).[521] However, no standardisation had been brought about by the two main Orders

[519] SRO(B), 611/19, Newmarket Guardians' Minute Book, 8 Oct.1851.
[520] SRO((I), DD1/28/2/7, Ipswich Guardians' Minute Book 15 Jan and 18 Jun. 1853
[521] Flynn, 'Medical Services under the New Poor Law' in Fraser (ed.), *The New Poor Law in the Nineteentth Century,* p.61.

of the Poor Law Commission - the General Medical Order of 1842 and the General Consolidated Order of 1847. Similarly, although size of districts, annual contracts and provision of medicines by the Boards of Guardians had all been recommended by the Poor Law Commission, local Boards of Guardians often chose to ignore them. This not only led to a diverse range of systems but also served to fuel the continued antagonism between local and central bodies.

Medical men were looked upon as untrustworthy and their own organisation, the British Medical Association, was insufficiently strong to provide any leverage on their situation until the late 1860's. They were in any case caught up between the uneasy relationship between local Boards of Guardians and central poor law bodies, the former influenced by spending as little money as possible, a factor unlikely to improve the terms and conditions of medical officers. Though clearly many medical officers were more concerned with their private practices and status, and not all guardians were penny-pinching individuals, the situation between the two gradually became more rather than less strained. It seems plausible to suggest that a gulf was beginning to open up between two rival ideologies; that of local guardians generally desiring a minimum amount of expenditure on the sick poor, and the medical officers requiring more appropriate care of the sick, notwithstanding cost.

Provision for the sick and prevention of sickness

Provision for the sick did not just involve the appointment of medical officers but also nursing care and specialist institutions such as hospitals and lunatic asylums. As the only central institution, where many were to be found in need of such services, it

would seem that workhouses were the natural basis for their development. In addition, as knowledge of disease grew and the effects of poor hygiene became known, medicine shifted from concerns of a purely curative nature to more of a preventative one, again using the workhouse as its administrative base. For many, it also marks the beginnings of the national welfare state.[522] Thus, this part of the chapter deals with the development of such issues and the growing demands they put upon poor law medical officers.

Nurses

An important adjunct to the work of medical practitioners, particularly in the workhouse, was the care of nurses. However, the development of nursing as a profession was barely in its infancy at the beginning of the period, its lowly status being well documented by nursing reformers. As late as 1867, Florence Nightingale was to state in a letter to the committee appointed by the Poor Law Board that nursing was generally done by those 'who were too old, too weak, too drunken, too dirty, too stolid or too bad to do anything else.'[523] Thus, throughout the period, there was a consistent struggle between the medical officers and guardians, and sometimes Poor Law Commission (and later the Poor Law Board,) to employ only trained nurses.

[522] Lynn Hodgkinson actually names her prodigious work *The Origins of the National Health Service,* whilst Derek Fraser names one of his works, in which he examines the New Poor Law alongside other issues such as education and factory reform, *The Evolution of the British Welfare State.* (London 1973).
[523] F. Nightingale, 'Suggestions on the subject of providing training and organising nurses for the sick poor in workhouse infirmaries,' *Letter to Sir Thomas Watson Bart.,* member of the committee appointed by the President of the Poor Law Board, p.1, London 19 Jan. 1867, British Library of Political and Economic Science Pamphlet Collection (Coll./c/x3). Cited in, Brian Abel-Smith, *A History of the Nursing Profession,* (London, 1960) p.5..

The lowliest form of nursing was deemed to be in the workhouses; Louisa Twining, founder of the Workhouse Visiting Society, suggested to the same committee that 'to be the lowest scrubber in any hospital is esteemed a higher post than to be nurse with the sole charge of a workhouse ward.'[524] Given this situation, the lack of guidance from poor law central authorities and a penchant for economising, most Unions tended to 'employ' inmates of the workhouse, often merely for extra rations of meat, beer and gin, or sometimes for a small wage or gratuity.[525] Dr. Rogers stated this to be a particular problem in the Strand workhouse where he was medical officer, because supplies of liquor were dispensed in the mornings, so that the pauper nurses were frequently drunk during the day. He blamed many un-necessary deaths on nurses unable to carry out his instructions.[526]

In the early years of the New Poor Law, paid nurses appear to have been a rarity. Longmate states that in the 1850's, in the whole of London, there were only 70 paid nurses compared with 500 pauper nurses. Of the latter, half were over 50, a quarter over 60, many over 70 and some even over 80.[527] Suffolk on the other hand fared better; statistics from the 1846 Annual Report of the Poor Law Commission show Suffolk as having 12 paid nurses in its 17 Unions, employed on salaries ranging from £8-£15 *per annum*.[528] This compared well with the salaries of the three senior nurses

[524] Louisa Twining, *Letter to the President of the Poor Law Board on Workhouse Infirmaries* 1866, cited in Norman Longmate, *The Workhouse* (London, 1974), p.203.
[525] Of the Six pauper nurses employed by the Wangford Union in November 1835, 3 were paid 6d, and 3 were paid 3d, with gratuities for good behaviour.
[526] Rogers, *Reminiscences* p.17.
[527] Longmate, *The Workhouse.* p.203.
[528] Hodgkinson, *The Origins of the National Health Service,* p.106.

in the Suffolk General Hospital, who in 1839 are recorded as being in receipt of a salary of £10.10s. *per annum.*[529]

Paid nurses however did not necessarily mean trained nurses, since such training was not widely advocated until after the Crimean War and the foundation of the Nightingale school in 1860. It was 1879 before a pressure group was set up, in the Association for Promoting Trained Nurses in workhouse infirmaries and sick asylums.[530] Even paid nurses therefore were often illiterate, and in spite of strictures eventually laid down by the central authorities on the requirements to be able to read and write, Unions continued to employ the illiterate, either through reluctance to pay higher wages or the difficulty of acquiring anything better.

In 1847, when Walsham, the Assistant Poor law Inspector, recommended the appointment of a paid nurse for sick and infectious cases to the Cosford Union in Suffolk, the Board replied that it was 'difficult to get efficient nurses for the workhouse, when such people were able to get a post elsewhere.' It went on to add that they had in any case found pauper nurses more efficient and there was 'no occasion when there was not proper nurses in the workhouse for attendance on the sick of all classes.'[531] In fact the guardians' records show that paid nurses were regularly employed in the Cosford Union from the 1830's.

The same was not true however in the Newmarket Union, where the guardians resisted the recommendations of both the Poor Law Commission and the workhouse

[529] *Stutter's Casebook,* ed. B E.E. Cockayne and N. J. Stow, (Woodbridge, 2005) p.xvii.
[530] Digby, *Pauper Palaces,* p. 172.
[531] SRO(B), DC1/2/6, Cosford Guardians' Minute Book, 5 Apr. 1847.

medical officer, who urged on it the immediate appointment of a female nurse for the female side of the 'hospital.' The guardians responded by merely stating its earlier view, of maintaining its current practice of relying on responsible female inmates.[532] Central poor law authorities did attempt from time to time to remonstrate with guardians who failed to carry out their requirements. As late as 1855, the Poor Law Board wrote to the Samford Union concerning the employment of Hannah Howard on a salary of £8 *per annum,* stating it to be against their orders because she was unable to read or write. The response of the guardians was to state that she was in all other respects competent and again as other Unions had, stated the difficulty of finding a literate nurse.[533]

A call for reform had been developing as early as the 1840's. In 1843, following the large number of deaths from puerperal fever, William Farr, the Registrar General, advocated the training of both midwives and nurses. This view was echoed by Dr.Rumsey, a noted Poor Law medical reformer, in evidence given to the Select Committee of 1844, where he maintained that diseases of the poor were aggravated by the lack of proper nursing; he attributed to them 'the fatal results of neglect' and the 'imperfect performance' of the directions of the medical officer.[534]

In Suffolk it was often the medical officers themselves who raised the issue of literate and paid nurses; in June 1850 Faircloth, the medical officer of the Newmarket Workhouse Union, pointed out the 'necessity of having a duly qualified and

[532] SRO(B), 611/17, Newmarket Guardians' Minute Book, 4 May 1847. It was 1850 before any paid nurses were recorded in the Newmarket Union.
[533] SRO(I), ADA7/AB1/11, Samford Guardians' Minute Book, 20 Sept. 1855.
[534] Evidence given by Rumsey to Select Committee of 1844, cited in Hodgkinson, *The Origins of the National Health Service,* p.34.

permanently appointed nurse for the male and female wards.' The Board went part way to satisfying his demands by advertising the following week for a nurse for the female wards, capable of reading and writing and aged not less than 40, at a salary of £10 *per annum.*[535]

By the 1860's demands for better training of nurses had become more vociferous and part of the general clamour for improvement of health provision in the workhouse. The pioneering work of Florence Nightingale in the Crimean War and the subsequent establishment of the Nightingale School for training nurses in London began the process for reform. The movement gained momentum with the publication in the *Times,* in late 1864 and early 1865, of two major public scandals of fatal cases of neglect. One of the issues considered to be at the centre of the problem was unqualified pauper nurses. Louisa Twining was to reveal the full extent of the problems with nursing, to the two enquiries set up in 1865 and 1866 to investigate the medical conditions of the workhouses in London.[536] It revealed that only six out of forty of the Metropolitan Unions met the requirements of the Poor Law Board for paid nurses, and even fewer of these had received any kind of hospital training. Mainly the work was done by supervised but unpaid paupers, amongst whom standards were variable and drunkenness common.[537]

Sufficient evidence had already been provided by May 1865 to induce the Poor Law Board to issue a circular to guardians suggesting that 'qualified and adequately

[535] SRO(B), 611/18, Newmarket Guardians' Minute Book, 28 Jun.1850.
[536] The first was an unofficial 'enquiry' by the *Lancet.* The second, was largely in response to the dire findings of the *Lancet.*
[537] Abel-Smith, *The Hospitals,* p.55.

remunerated' nurses be appointed, and pauper nurses be 'eliminated as far as possible.'[538]Even where Unions were willing to appoint trained nurses however, they were not always successful in doing so. In addition to advertising for a trained nurse in the usual local papers, in February 1868, the Samford Union also advertised in a Liverpool training establishment at a salary of £16 *per annum,* which was to rise to £20 after six months. Such an advertisement appears to have been in vain, for by October, the Poor Law Board were drawing attention to the fact that the recently-appointed Eliza Goldsmith couldn't read, and was therefore infringing the General Order that 'no person should hold office who is not able to read written directions upon medicine,' and should resign.[539] The failure of the Samford Union to gain any further response to a second advertisement however, meant that the reform would go unheeded, as it did in many other institutions.

In the case of Ipswich however, where the Union was successful in engaging a trained nurse, problems arose of a different nature. In 1867, Ipswich guardians appointed a highly trained nurse, Leonora Marie Biscoe of the Nightingale School of Nurses at St. Thomas' Hospital, who had also held posts with the Ipswich District Nursing Association and Putney Royal Hospital for Incurables. The enhanced status of the newly appointed nurse seems to have upset the rigid hierarchy within the workhouse and after several clashes with the master, Biscoe was dismissed for 'insubordination.'[540]

[538] J.E. O'Neill, 'Finding a Policy for the Sick Poor.' p.265-84.
[539] SRO(I), ADA7/AB1/15, Samford Guardians' Minute Book, 20 Feb. and 15 Oct. 1868.
[540] SRO(I), DD1/28/2/17, Ipswich Guardians' Minute Book, 20 Sept. 1867.

Clearly however not all nurses were inefficient, even the unqualified or unpaid ones; on the resignation in June 1859 of Sarah Manning, Ipswich guardians gave testimony to her skill and efficiency.[541] Similarly, not all Boards turned a blind eye to inefficiency; where medical officers complained guardians were often quick to act with dismissal, such as in the Union of Plomesgate, where the Medical officer accused the nurse, Judith Stannard, of inefficiency after only three months.[542] The Board responded by giving her one month's notice.

Progress in providing an efficient nursing service however, continued to be slow. Central authorities only belatedly took the lead and even when they did so, this had little impact on the type of women who responded to advertisements for nurses. Literacy and lack of training continued to be problems even after outside intervention from the likes of Florence Nightingale and Louisa Twining. In Suffolk, as elsewhere, the lack of status attached to the position of workhouse nurse died hard, and even the provision of competitive salaries by 1870 appears to have done little to attract women to such posts.

Workhouse provision for the sick

The poor provision of nursing care was merely one of the shortcomings of provision for the sick in general in workhouses. The assumption underlying the 1834 Act was that the sick would mostly continue to receive outdoor relief, but where they could not manage , it was suggested that they might be accommodated in 'separate buildings

[541] SRO(I), DD1/28/2/10, Ipswich Guardians' Minute Book, 24 Jun. 1859.
[542] SRO(I), ADA6/AB1/3, Plomesgate Guardians' Minute Book, 18 Apr.1842.

away from punitive establishments for the able-bodied.'[543]Chadwick, from the beginning, had contemplated the specific exclusion of the sick from the rule of deterrence and consistently urged the 'segregation' of the sick 'for specialised institutional treatment.'[544]Such provision however was incompatible with the belief in 'less eligibility' which underpinned poor law thinking. This problem, together with a preoccupation with the interests of the able-bodied, meant that theory was never translated into practice under the 1834 Act. Even as late as the General Consolidated Order of 1847, the sick formed no part of the classification as a separate group. This section traces the uncertain beginnings for provision of the sick based on less elgibility, to the end of the period when there was a general recognition of the need for separate specialist institutions for the sick poor.

The earliest reference to provision for the sick in the workhouse by central authorities was made in an official circular of 1840, following the death from privation of a boy whose father had been in receipt of outdoor relief. The circular expressed the view that illness was likely to be more quickly cured 'with the advantages of the superior cleanliness and better regulated warmth and ventilation of the appropriate rooms of a sick ward in the workhouse, together with the superior nursing, dietary and doctoring there possible.'[545] Whilst central Poor Law authorities therefore clearly recognised the need for such provision, no rules had been laid down for its establishment. Such sick wards as existed therefore were entirely at the discretion of the guardians and, given

[543] Report of Royal Commission on Poor Law 1832-4 cited in Brian Abel-Smith, *The Hospitals* 1800-1948, (London, 1964.)p. 46-47.
[544] Quoted in R.A. Lewis, *Edwin Chadwick and the Public Health Movement (*London, 1952), p.27 cited in J. E. O'Neill, 'Finding a Policy for Sick Poor,' *Victorian Studies,*p.265-84.
[545] Webbs, *English Poor Law Policy,* (London, 1910), p.46.

their parsimony, were often far-removed from the idealised version of the Poor Law Commission's circular.

Without any central rules, it is unsurprising that facilities for the sick in workhouses varied widely, as did indeed the definition of terms such as infirmary or hospital.. At one end of the scale lay the ample provisions of the Manchester Board of Guardians, who in 1841 described their infirmary as having separate accommodation for surgical and medical cases, a lying-in ward, an 'itch ward' and a 'boys' and girls' sore head ward,' in addition to separate quarters for the elderly sick. [546] In contrast, fifteen years later Joseph Rogers described the entirely inadequate provision at the Strand Union. The ward for fever and foul cases had only two beds in it, and these were separated from the tinker's shop only by a lath and plaster partition of about eight feet.[547]

In Suffolk, provision for indoor sick should have been good in theory, given the large number of previous Houses of Industry to be found there, and therefore the space from which to create separate wards for the sick. Such institutions had traditionally made better provision than did the 1834 Poor Law, with sick or hospital wards for the ordinary patients and a pest house in the grounds for infectious cases.[548] Some of these still appeared to be in use immediately after the Poor Law Act of 1834; in the Stow Union in 1836 the Visiting Committee recommended that the pest house be put in a fit state to receive the sick and be renamed the 'hospital,'the sick not being

[546] Longmate, *The Workhouse,* p.194-5.
[547] Rogers, *Reminiscences,* p.14.
[548] Digby, *Pauper Palaces,* p.169.

sufficiently accommodated in the workhouse.'[549] Similarly Bosmere and Claydon Union recorded in 1837 that they occasionally used three 'other' brick buildings as a pest house.[550] In other Unions however, such facilities had clearly fallen into disrepair; in March 1837, Cosford Union stated their pest house to be in a dilapidated condition, and that it should be sold.[551]

Where there had been no previous House of Industry, provision for the indoor sick was even more problematic. Though many Unions refer to hospitals or infirmaries as part of their workhouse institutions, it is clear that they comprised little more than the *ad hoc* and temporary use of existing structures; the decision by Wangford guardians in 1850 to partition the old women's bedroom to provide extra accommodation for the over-full lying-in ward, was typical of the arrangements made in many workhouses. Some Unions however stated their intention of building more permanent and discrete structures; in March 1838, the Plomesgate Union announced its intention to build a pest house. Similarly in 1841, a committee of the Ipswich Board of Guardians suggested the creation of a 'separate building for the accommodation of infectious diseases.'[552] As always however, the guardians were reluctant to spend money and it was only in 1848, after numerous re-incarnations of the plans that any building appears to have been carried out. By that time, the project had been scaled down to

[549] SRO(I), ADA8/AB1/20, Stow Guardians' Minute Book, 13 Dec. 1836
[550] SRO(I), ADA2/AB1/3, Bosmere and Claydon Guardians' Minute Book, 9 Aug. 1837.
[551] SRO(B), DC1/2/1, Cosford Guardians' Minute Book, 21 Mar. 1837.
[552] SRO(I), DD1/28/2/3, Ipswich Guardians' Minute Book, 22 May, 1841.

an extension of existing wings of the building. Thus, by 1856 the Visiting Committee was again reporting that 'the infectious wards were far too small for purpose.'[553]

Throughout the 1860's there was an increasing body of people looking for reform of conditions for the sick in the workhouse, led by such bodies as the British Medical Association and the Poor Law Medical Officers Association.[554] This was to bring them into conflict with the government, particularly after the report of the findings of the latter, by one of its many committees, published in 1864. Its views were that 'there are no sufficient grounds for materially interfering with the present system of medical relief.'[555]The reformers clearly felt otherwise. Not least of these was Joseph Rogers, medical officer for the Strand Union, who documented conditions here for the period 1856-65. His findings formed a tale of widespread distress largely due to the workhouse being filled beyond its capacity. Overcrowding led to numerous cases of fever, whilst lack of space also caused close proximity of different 'sick wards', with the ever-present danger of cross infection. In the Strand workhouse Rogers states that the nursery ward was positioned opposite the lying-in ward. He describes them as damp, miserable and massively overcrowded which led to many preventable deaths.[556]

[553] SRO(I), DD1/28/2/9, Ipswich Guardians' Minute Book, 18 Oct. 1856.
[554] The British Medical Association was named in 1855 but was basically the former Provincial Medical and Surgical Association of 1832. The Poor Law Medical Officers Association was an amalgamation of the metropolitan and provincial associations by Joseph Rogers in 1868.
[555] S.C. *Final Report …….on Poor Relief* ix (1864) p.45 cited in Flynn, 'Medical Services under the New Poor Law' in Fraser (ed.) *The New Poor Law in the Nineteenth Century,* p.62.
[556] Rogers, *Reminiscences.*p.16.

The guardians' minute books in Suffolk tell a similar story throughout the period. Ventilation was a perennial problem in all wards of the workhouse, but the need for improved systems was particularly necessary in sick wards; Dr. Faircloth, the workhouse medical officer at Newmarket for much of the period, drew attention to the lack of cleanliness and adequate ventilation in the workhouse as a whole, in a report of 1841,[557] whilst other medical officers such as Pennington in Bosmere and Claydon expressed the particular need for good ventilation in the sick wards.[558] The provision of good ventilation was made even more necessary by the insanitary conditions existing in most workhouses.

Frequent testimony is given to the inadequate and offensive nature of the lavatory facilities. Even as late as 1869 after the damning reports of the metropolitan workhouses had supposedly put reforms in progress, Poor Law Inspector Langley reported from the Wangford workhouse, that the urinals and privy in the old men's yard and the new privy in the boys' yard were offensive and required attention.[559] Where the sick were bed-ridden the problems were increased; in the Nacton workhouse in the Woodbridge Union, Poor Law Inspector Walsham drew the attention of the Board to the need for a water closet in the female sick ward, where there were 20-30 severely ill patients and the 'soil' had to be carried through the House.[560]

[557] SRO(B), 611/14 Newmarket Guardians' Minute Book, 14 Dec. 1841.
[558] SRO(I), ADA2/AB1/8 Bosmere and Claydon Guardians' Minute Book, 18 Jan. 1850.
[559] SRO(L), 36/AB1/77 Wangford Guardians' Minute Book, 14 Jul. 1869.
[560] SRO(I), ADA12/AB1/8 Woodbridge Guardians' Minute Book, 31 Dec. 1851.

Poor drainage was also a problem. After attention was drawn to the bad smells issuing from the drains in Shipmeadow workhouse in the Wangford Union, the privies were found to be emptying into them.[561] Medical officer Faircloth was to report similarly that the drains around the Newmarket workhouse were also in a foul state. In April 1853, he reported to the Guardians on the 'foul offensive state of the water closets, the imperfect sewer drainage and last though not least, the spreading over the land immediately adjoining the hospital of the excrement recently deposited by the inmates in their respective privies.' He attributed two recent deaths from typhoid to such conditions.[562]

In Suffolk, as with the Strand Union, the close proximity of sick wards for different illnesses, or sometimes the use of the same sick ward for different cases, did little to aid recovery. It was the chaplain in the Wangford Union in 1868 who first drew the guardians' attention to the lack of separation in the sick wards between old and young, and permanent and serious cases, but as was often the case, the Board failed to take action. They were reluctant to take expensive measures to improve what they considered to be a seasonal problem.

The close contact that overcrowding entailed, also provided particular difficulties when contagious diseases became established. Outbreaks of ophthalmia which had started in the Samford workhouse in Tattingstone in September 1865 were still not eradicated two years later, and the Board was forced to take the steps of providing a separate

[561] SRO(L), 36/AB1/67 Wangford Guardians' Minute Book, 9 Nov. 1853.
[562] SRO(B), 611/20, Newmarket Guardians' Minute Book, 8 Apr. 1853

ward at the extreme south east of the house.[563] Skin disorders were often also reported as being long-lived; the medical officer at the Ipswich workhouse reported in April 1861 that cutaneous disorder was present amongst the children of the house and that although he managed to cure it in the infectious wards, when they returned to their dormitories it recurred, a situation he considered inevitable given the crowded nature of the house.[564]

Conditions such as those documented by Joseph Rogers in the Strand workhouse, and the guardian's minute books in Suffolk were clearly widespread, as the *Lancet* enquiry and that of the Poor Law Board were to reveal.[565] Although the picture they showed was a varied one, at worst conditions were dire. Overcrowding was found to be widespread with its dangers and discomforts increased by poor ventilation. There was an almost universal practice of 'mixing up sick wards in the body of the House' as well as poor hygiene through a general deficiency of both toilet and bathing facilities.[566] Such conditions were to be the basis of the Metropolitan Poor Law Amendment Act, which advocated the separation of workhouses and medical institutions, heralding a new approach in the treatment to sick paupers. Officially, the policy of less eligibility was now no longer considered appropriate to their needs. This approach was to spread slowly to the provinces, though the means of financing was to be an ever-present problem and hindrance to reform.

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[563] SRO(I), ADA7/AB1/15, Samford Guardians' Minute Book, 7 Sept. 1865 and 17 Oct. 1867.
[564] SRO(I), DD1/28/2/12, Ipswich Guardians' Minute Book, Apr.1861.
[565] Momentum for reform had increased greatly during the 1860's due, amongst other things, to a couple of well-documented scandals, the interest of outside bodies such as Visiting Committees set up by Louisa Twining, and the poorly-timed report of the Select Committee of 1864. The independent *Lancet* enquiry of 1865 shamed the Poor Law Board into making its own official enquiry, which led to the Metropolitan Poor Law Amendment Act which ultimately spread throughout the country.
[566] Abel Smith, *The Hospitals* p.52.

Lunatics

Given that the 1834 Poor Law Amendment Act made little provision for the care of physically sick paupers, it is unsurprising that the mentally sick – in nineteenth century parlance lunatics, idiots and imbeciles – were also similarly ignored. Although separation of such inmates from others had been suggested in the report of the Royal Commission of Enquiry of 1832-4, no classification and segregation was stipulated by the actual act, though there was in an Order of the Poor Law Commissioners in 1836, an incidental mention of the 'wards for lunatics and idiots …….. existing in some workhouses.'[567] However, this was not required by any central authority and was merely part of the variety of local developments that grew up because of the lack of central policy. This approach perhaps also owed much to earlier attitudes to the insane of the mid-eighteenth century, when Scull suggests that they were generally not treated as a separate category, but rather that they were 'assimilated into the much larger, more amorphous class of the morally disreputable, the poor and the impotent ……'[568]

Nevertheless, by the mid-nineteenth century a number of specialised institutions were beginning to be developed for the treatment of the insane, even though most were still at large in the community, receiving outdoor relief like the rest of the poor. Thus

[567] Webbs, *English Poor Law Policy* , p63.
[568] Andrew T. Scull, *Museums of Madness. The Social Organization of Insanity in Nineteenth Century England* (New York, 1979), p 13.

there grew up what Leonard Smith refers to as a 'mixed economy of care' for the insane, largely provided by three institutions; the privately –run madhouses, public asylums and workhouses. [569] During the later nineteenth century, movement between these institutions was to become frequent, all comprising what Peter Bartlett considers to be the Poor Law of Lunacy.[570]

Lunatic asylums were generally held by reformers to be the best place for lunatics. From 1808 magistrates had discretionary powers to provide asylum accommodation at county expense for pauper lunatics. Such discretionary powers however, were rarely used and by 1845 twenty one counties still remained without a lunatic asylum. The legislation of that year therefore forced the issue, with the compulsory requirement for the erection of asylums for pauper lunatics in both counties and boroughs, and the removal of all lunatic paupers to them when built.

The report of the Metropolitan Commissioners that had led to the act of 1845, had revealed significant shortcomings in provision for lunatics in workhouses, with restraint equipment prevalent, lack of segregation and no provision of exercise or occupation.[571] The Lunatics Act of 1845 was thus to establish a permanent national Lunacy Commission, with powers to make detailed and frequent inspections of all types of asylums, public, private and charity. The Commission was to consist of medical

[569] Leonard Smith, 'A Sad Spectacle of Hopeless Mental Degradation', in Jonathan Reinarz and Leonard Schwarz (eds.), *Medicine and the Workhouse* (New York and Woodbridge, 2013), p.103. David Green, *Pauper Capital*, p.151.
[570] Peter Bartlett, *The Poor Law of Lunacy* (Leicester, 1999), p. 2.
[571] Conditions described by Leonard Smith from the Metropolitan Commissioners Report of 1842-3 for the Birmingham workhouse in 'A Sad Spectacle of Degradation', p. 112.

men, barristers and laymen, with inspections including at least one medical man and one barrister. Their annual reports were to be published.

The new legislation of 1845 however appeared now to cut across the powers and practices already established by this time. In clause 45 of the 1834 Poor Law Amendment Act, its only reference to treatment of the insane, it stated that no dangerous lunatic, insane person or idiot, could be confined in any workhouse longer than fourteen days. The implication behind this statement appeared to be that it was therefore 'legitimate to keep quiet, withdrawn or depressed lunatics as well as idiots in the workhouse' and this was the basis on which many Unions appeared to proceed.[572] In line with their parsimonious policies, guardians were often reluctant to transfer the insane to lunatic asylums because of the higher cost.[573] In addition, guardians could not but resent the introduction of a further body of central interference, in the form of the Lunacy Commissioners, as unwarranted meddling in local affairs.

The disquiet of the Lunacy Commission and resistance to reform by the guardians, became a frequent feature of disagreement recorded in the guardians' minute books, particularly where it involved greater expenditure on the part of the guardians. Such a case concerned a troublesome woman, Britannia Hazell, in the Bosmere and Claydon workhouse, who was considered a marginal case for admission to the lunatic asylum. She was sent to the sick house 'accompanied by two able-bodied women,' but not

[572] Leonard Smith, ' A Sad Spectacle of Hopeless Mental Degradation', p. 106
[573] Peter Wood, *Poverty and the Workhouse in Victorian Britain*, p.112, Anne Digby in *The Poor Law in Nineteenth-Century England and Wales* (London, 1982), p. 35 and Peter Bartlett, *The Poor Law of Lunacy,* p.51 amongst others.

nurses, 'to keep watch over her.'[574]A similar procedure was adopted by the Plomesgate Union, where a male inmate, 'uncertain of mind,' was placed in a separate ward with another male pauper 'to watch over' him, pending the medical officer's decision on the state of his sanity. [575] The Lunacy Commission in its report of 1858 was to condemn this use of 'staff', together with almost every other aspect of workhouse provision. However, the Commission was not in a strong position to effect improvements; its main function was to get dangerous lunatics removed from the workhouse to the lunatic asylum, and it had no powers to enforce reforms on workhouses themselves.

In other ways however, lunatics appear to have fared better In Suffolk workhouses rather than in other counties. The overall impression of dirty conditions and general negligence of lunatic patients created by both the 1844 and 58 reports, does not seem to have been the norm in Suffolk; in the Cosford Union in 1862 the Lunacy Commissioners wrote in the Visitors' book that treatment of lunatics was 'kind' and the 'house in good order,' a situation maintained in 1866 when the house was again stated to be clean and the lunatics well-treated and cared for.[576] The same was true in the Woodbridge workhouse where the Commissioners reported in 1849 that it was clean and in good order, and in 1854, that the 'dress and bedding of patients (was) clean and of good quality.'[577] Wangford was similarly commended in 1858 as being

[574] SRO(I), ADA2/AB1/5, Bosmere and Claydon Guardians' Minute Book, 13 Apr. 1840.
[575] SRO(I), ADA6/AB1/3, Plomesgate Guardians' Minute Book, 8 Nov. 1841
[576] SRO(B), DC1/2/13 and DC1/2/15, Cosford Guardians' Minute Books, 31 Mar. 1862 and 17 Sept. 1866.
[577] SRO(I), ADA12/AB1/7 and ADA12/AB1/9, Woodbridge Guardians' Minute Books, 28 Feb. 1849 and 27 Aug. 1854.

'clean and in good order' with 'very comfortable beds and bedding.'[578] Where criticisms were made over such matters as diet and clothing, individual Unions often expressed a readiness to comply with the recommendations of the Lunacy Commissioners; following the report from the Commissioners in the Woodbridge Union in October 1866, the guardians accepted the request to provide warmer clothing and an increased diet for the lunatics in the House.[579] Similarly, when the medical officer Peskett , from the Wangford Union, stated that he agreed with the findings of the Lunacy Commissioner that warmer clothing was needed for lunatics, it was duly provided by the guardians.[580]

However, guardians could be less accommodating, and often came into conflict with the Lunacy Commission over rival powers, especially where these involved expenditure on the part of the guardians. Such a situation occurred in the Woodbridge Union in February 1860, where following an inspection by the Lunacy Commissioners, the Poor Law Board wrote to the guardians asking about the 'idiot' Mary Cresswell. She was described as 'dangerous to herself and others' and the Board wished to know if steps had been taken to remove her to an asylum, given that it was against the law to keep a dangerous lunatic in the workhouse longer than fourteen days. The guardians terse response, reflects perhaps not only their parsimony but also their antagonism to central authority; they replied that the 'case was perfectly well-known to them' and that they considered treatment in the workhouse to be 'the most proper.'[581]The

[578] SRO(L), 36/AB1/70, Wangford Guardians' Minute Book, 19 May 1858.
[579] SRO(I), ADA12/AB1/13, Woodbridge Guardians' Minute Book, Oct. 1866.
[580] SRO(L), 36/AB1/75, Wangford Guardians' Minute Book, 4 Jan. 1865.
[581] SRO(I), ADA12/AB1/11, Woodbridge Guardians' Minute Book, Feb. 1860.

Wangford Union similarly resisted attempts by the Lunacy Commission to get lunatic inmates removed to the county asylum; in response to a recommendation that William Maudling being of a 'very low state of mind and in weak health' be moved from the workhouse, the guardians merely replied that he 'didn't appear to need to go to the lunatic asylum.'[582]

By the 1860's however, in spite of, or because of extra provision in lunatic asylums, they too were becoming increasingly full. In 1865, the Samford Union were enquiring if any of the inmates of the Suffolk asylum could be moved back into the workhouse, whilst in August 1868 Cosford guardians recorded that the county asylum was limited in the numbers it could take.[583] It was in this context that the use of lunatic asylums as a curative institution gradually came to be developed. The idea was not new. As early as 1843, the Poor Law Commissioners had informed the Newmarket Guardians, that the principle to be considered in committing patients to the asylum was the consideration of whether they could be cured.[584]Leonard Smith suggests that a debate developed between Lunacy Commissioners, central poor law authorities, medical officers and guardians, creating a growing consensus that asylums should be for the acutely mentally ill, capable of cure. It was considered not unreasonable for the workhouse to cater for those whose mental disorder was congenital or chronic, and

[582] SRO(L), 36/AB1/73, Wangford Guardians' Minute Book, 21 May, 1862.
SRO(I), ADA7/AB1/14, Samford Guardians' Minute Book, 12 Jan. 1865 SRO(B), DC1/2/15, Cosford Guardians' Minute Book, 10 Aug. 1868.

[583] SRO(I), ADA7/AB1/14, Samford Guardians' Minute Book, 12 Jan. 1865 SRO(B), DC1/2/15, Cosford Guardians' Minute Book, 10 Aug. 1868

[584] SRO(B), 611/2, Letters from the Poor Law Commissioners to the Newmarket Guardians, 15 Sept. 1843.

who posed no threat to themselves or to others and who mainly required basic care and attention.[585]Such arguments were no doubt seized upon by asylums anxious to prevent overcrowding and poor law Guardians keen to keep costs down.

In some areas, reduction of asylum facilities was countered by growing specialisation in the workhouse. All too often however, these developments also foundered for want of the necessary expenditure. In June 1866, the Bosmere and Claydon Union had gone so far as to engage Dr Kirkman (the head of Suffolk lunatic asylum), and an architect, to produce a plan for the proposed alteration to lunatic wards. The plans however had come to nothing, being first deferred then abandoned altogether, with the statement that it was considered 'not expedient to make any provision for the accommodation of county lunatics.'[586]A similar situation had occurred in the Wangford Union; following a report of the Lunacy Commissioners, plans had been made to improve the accommodation for persons of unsound mind. Initially the guardians had supported the plan and voted £170 for the improvements, but at subsequent meetings, with a larger number of guardians present, the plan had been rejected 'on the (grounds of) expense of the proposed alterations.'[587]Thus, many mental patients were consigned to a workhouse for the rest of their lives, with little specialist attention for their particular needs.

In spite of the overcrowding of the asylum in later years, the Suffolk lunatic asylum at Melton, near Woodbridge, had provided a more humane service, compared with other

[585] Leonard Smith, 'A Sad Spectacle of Hopeless Degradation.' p.107-8.
[586] SRO(I), ADA2/AB1/13, Bosmere and Claydon Guardians' Minute Book, Jun.1866.
[587] SRO(L), 36/AB1/74, Wangford Guardians' Minute Book, Aug. and Dec. 1863.

counties, for a number of years. It had been one of the few county asylums existing before 1845, its origins dating to 1829 with the purchase of the then defunct House of Industry for Loes and Wilford, with 30 acres of land, for £8,000. A further £14,000 was paid for fittings and alterations and the building was capable of accommodating 150 inmates. Further buildings and alterations were made in 1844 and 1862, by which time the asylum was capable of accommodating 428 inmates.[588]It also boasted the services of Dr. Kirkman, an advanced medical practitioner who was strongly opposed to the use of personal restraint on inmates of the asylum.[589] It seems likely that this stance, together with the central support of the poor law authorities, also had the effect of reducing the use of such methods in at least some of the county's workhouses, thus ensuring better treatment of lunatic patients in Suffolk than in many other areas.

Three of the county's workhouses were however to come into constant conflict with the lunacy authorities; Bury St Edmunds, Ipswich and Newmarket, all made widespread use of Metropolitan Licensed Houses, namely Hoxton House, Camberwell House and Peckham House. In 1857, the *12th Annual Report of the Commissioners in Lunacy* stated their aim of closing such institutions, thus angering those guardians who welcomed this cheaper alternative. As always, the independent guardians obfuscated and delayed over these more expensive changes; in Bury St. Edmunds, although the records are rather scant, it would appear that there was little change in its

[588] SRO(I), ID407/F/10/1, Suffolk County Lunatic Asylum.
[589] SRO(I), ID/407/A2/5 In the 10th Annual Report of the Lunatic Asylum of 1847, Kirkman also outlined the many occupations available to the inmates of the asylum such as a large library, a training school and occupations such as haymaking and agricultural tillage.

arrangements throughout the period , the bulk of its lunatic inmates being still transferred to Hoxton House as late as 1870.[590] Newmarket guardian minutes remain silent on the reports of the Lunacy Commissioners, but show the ending of the practice of using private licensed houses in London. Following the opening of the Cambridgeshire Lunatic Asylum in Fulbourn in 1858, payments are mainly recorded for this establishment.[591] This too was ultimately the destination of many Ipswich patients, though the transfer involved considerable conflict with the Commissioners in Lunacy, who were also critical of the conditions within the workhouse.[592]

From its establishment in 1837, the Ipswich workhouse had used a range of establishments for its lunatic paupers. In 1839, payments to the Suffolk asylum at Melton were almost equal to those made to a private establishment, Belle Vue House in Ipswich.[593] However, some disquiet was expressed over the use of this establishment, after a father complained that his son had been manacled, dragged along a passage and then left to the mercy of other inmates.[594] Further problems at Belle Vue House led the Ipswich guardians to again approach the Melton Asylum. In 1844, a committee was sent to the asylum to 'ascertain the mode of treatment and both moral and curative practice', following which Dr. Kirkman was approached with a request to take the Ipswich lunatics. However, he replied that after consulting visiting

[590] SRO(B), DC1/1/3 and DC1/1/4, Bury St. Edmunds Guardian's Minute Book, 30 May 1862 and 22 Sept. 1865
[591] SRO(B), 611/22, Newmarket Guardians' Minute Book, 29 Apr. 1859.
[592] SRO(I), DD1/28/24-26, Ipswich Guardians' Minute Books. 1864-70.
[593] SRO(I), DD1/28/2/2, Ipswich Guardians' Minute Book, 23 Dec.1839.
[594] SRO(I), DD1/28/2/2, Ipswich Guardians' Minute Book, 20 Apr. 1840.

magistrates, he was unable to do so.[595]It seems likely that the problem had to do with Ipswich's status as a borough and its use of a county facility.

After 1845, boroughs like counties were required to make specialist provision outside the workhouse for their insane patients. Discussions for erecting an asylum in the town first started in Ipswich in 1850. These were renewed in 1854 with the resolve that the Mayor and Town Council be approached on the increasing expense of the lunatic poor to the borough, and the suggestion that steps be taken for the erection of a lunatic asylum in the town, in order to 'lessen the cost of maintenance.'[596]In 1858 however, the *12th report of the Commissioners in Lunacy* stated that Ipswich, along with a large number of other boroughs, had still not conformed to the 1845 Act in making proper legal provision for the care and treatment of their pauper lunatics. The problem it shared with other boroughs was that it was too small to justify the expense of building, having only thirty lunatic inmates. Its second option, to combine forces with the county, was also rejected by the Suffolk asylum, even though the borough offered to contribute to the provision of extra buildings.

In the meantime Ipswich had resolved to send their lunatic paupers to the private institution of Peckham House in London, a practice increasingly frowned upon by the Lunacy Commissioners.[597]The objections of the Lunacy Commissioners stemmed not only from a desire to eliminate private institutions, but also from a concern about the distances involved, rendering it less likely that inmates would be visited by family and

[595] SRO(I), DD1/28/2/4, Ipswich Guardians' Minute Book, 12 Oct. 1844.
[596] SRO(I), DD1/28/2/6 and DD1/28/2/7, Ipswich Guardians' Minute Book, 16 Mar. 1850 and Apr. 1854
[597] SRO(I), DD1/28/2/4, Ipswich Guardians' Minute Book, 12 Oct. 1844

friends and thus retarding their recovery. In March 1856, the Commissioners began a long campaign to encourage the Ipswich guardians to move their insane paupers nearer home. A letter from Peter Armstrong who ran Peckham House, was sent to the guardians enclosing one from the Lunacy Commissioners, in which they stated their intention of using their powers to 'check the use of sending patients long distances from the provinces and settling in licensed houses in the Metropolitan District.' Such a practice it stated was common not only in Suffolk, but also Kent and Southampton. These workhouses were now required to find alternative accommodation. Ipswich was to reply simply that no such accommodation existed so they were unable to comply with the regulations.[598]

After expressing further disapproval in 1858 of the 'considerable distance' involved in sending patients to Peckham House, the Lunacy Commissioners were finally able to offer a solution the following year, stating that 'both Cambridge and Norfolk had upwards of one hundred vacancies in their asylums, and were willing to receive out of county patients.' They suggested that rather than rely on Metropolitan Licensed Houses, at such great distances, the Ipswich guardians should avail themselves of the nearer vacancies.[599]A considerable struggle ensued between the Lunacy Commissioners and the guardians, but it was not until July 1861 that the bulk of

[598] SRO(I), DD1/28/2/8, Ipswich Guardians' Minute Book, 22 Mar. 1856.
[599] SRO(I), DD1/28/2/11, Ipswich Guardians' Minute Book, 24 Dec. 1859.

Ipswich's pauper lunatics were transferred from Peckham House to the Cambridgeshire lunatic asylum at Fulbourn.[600]

Throughout this period, the Lunacy Commissioners were also deeply critical of the conditions provided for lunatics in the Ipswich workhouse. A letter from the Poor Law Board in June 1860, based on the Lunacy Commissioners report stated in exasperated tones (no doubt induced also by the guardians' intransigence over movement of patients to Fulbourn), that 'all provision of law with respect to the care and treatment of lunatics in this borough appear to be entirely disregarded, both by guardians and relieving officers.' They stated that restraint was frequently used but not recorded, that patients were not allowed to walk beyond small cheerless yards, ordinary diet was insufficient, accommodation generally defective and there was a 'want of all means for relief or comfort.'[601]Similar criticisms were made following a further visit of the Lunacy Commissioners in 1861; restraint of less than an hour was still being made unrecorded and the practice of admitting all classes of insane pauper to the workhouse was violating the law. Conditions were still overcrowded, with gloomy and cheerless rooms, and unpaid and unqualified staff.[602]

Though the conditions in the workhouse gradually improved for insane pauper inmates, their overall provision did not. By 1865 it was announced that the asylum at Fulbourn was now itself becoming crowded, since it had originally been intended for the borough of Cambridge alone. Contracts with Fulbourn in any case were due to run

[600] SRO(I), DD!/28/2/12, Ipswich Guardians' Minute Book, 25 May 1861 shows that the bulk of payments to outside asylums £238.2.4d was still going to Peckham House and £115.19.9d to Fulbourn but by 13 Jul, the proportions had reversed with only £79.4.11d to Peckham House and £295.9.9d to Fulbourn.
[601] SRO(I), DD1/28/2/11, Ipswich Guardians' Minute Book, 23 Jun. 1860
[602] SRO(I), DD1/28/2/12, Ipswich Guardians' Minute Book, 27 Apr. 1861.

out in February 1866, thus considerations of a borough asylum were again renewed. However, in the meantime the Ipswich guardians were again forced to make arrangements with those very licensed houses the Lunacy Commissioners had hoped to get rid of. In July 1869, even the Lunacy Commissioners were forced to admit that 'pressure for places was so tight that (they were) unable to name any convenient asylum for Ipswich patients.'[603] By the end of the year payments for the accommodation of lunatics were being recorded for Metropolitan Licensed houses at Peckham, Camberwell and Bethnal Green amongst others.[604]It was only with the opening of the new borough asylum in April 1870 that Ipswich was able to make full and appropriate provision for its pauper lunatics.

The development of provision for pauper lunatics had thus been long and tortuous. Complications arose initially because the New Poor Law failed to recognise them as a separate class and because the responsibility for them was spread across a variety of institutions. Reformers of the 1840's and 1850's increasingly rejected the workhouse, with its principles of less eligibility, as the appropriate establishment for the treatment of the lunatic poor, particularly acute cases, and came to favour the more spacious, but more expensive setting, of the county lunatic asylum. The regulating body that grew up as a result of the reforming movement, the Lunacy Commission, was thus one which was outside the poor law central authorities but had powers of inspection and recommendation within it. The success of the reforming movement however was soon stymied by the increasing overcrowding within the lunatic asylums themselves. Whilst

[603] SRO(I), DD1/28/2/18, Ipswich Guardians' Minute Book, 9 Jul. 1869.
[604] SRO(I), DD1/28/2/19, Ipswich Guardians' Minute Book, 5 Nov. 1869.

to some extent this was countered by the growth of specialist wards and facilities within the workhouses themselves, guardians were as reluctant as ever to spend un-necessarily. Thus many lunatic paupers were condemned to suffer years in the cheerless and inappropriate conditions recorded by the Lunacy Commissioners in the workhouse.

Wider developments and preventative medicine

It was also during this period that the poor law became the means of promoting a wider medical service. Such a development occurred in response to epidemics of both smallpox and cholera, as well as improving medical knowledge related to their causes and treatment. Medicine was thus entering a new phase with a preventative approach. Paupers were perhaps the logical starting point for treatment of such diseases, since it was amongst these communities that the diseases spread most rapidly. The use of poor law administrative organisations to disseminate treatment was however a more pragmatic response. As Ruth Hodgkinson has pointed out, the poor law had 'the only uniform central and local authorities existing on a national scale,' thus its administrative bodies became the basis of further administrative development over health issues and its officers the means by which new policies were carried out. [605]

The first manifestation of this new approach came with the Vaccination Act of 1840 which forced guardians to contract with medical practitioners for the vaccination against smallpox of all persons requiring it, not just paupers. The poor law medical

[605] Hodgkinson, *The Origins of the National Health Service,* p.28.

officers, who usually contracted for such positions, were required to set up stations which those requiring vaccination could attend, and which the doctors attended at advertised fixed days and hours. The act had been a response to the report by a Select Committee on the prevalence of smallpox and the neglect of vaccination. Initially however, without this guidance, the response of Suffolk Unions to smallpox had been characteristically varied; medical officers in the Newmarket and Wangford Unions wanted to vaccinate all those in or entering the workhouse, whilst medical officers of Cosford and Samford had wider aspirations, the former seeking to vaccinate all children of the labouring poor, whilst the latter wanted to vaccinate all the poor throughout the hundred. [606]

Remuneration for medical officers for vaccination developed in a similarly *ad hoc* manner; in January 1838, in the Bosmere and Claydon Union, the local medical officers pointed out that vaccination was not part of their contracts and asked for terms. The following week they were offered a gratuity of £10, quickly followed by the redrawing of districts and negotiation of inclusive contracts.[607]A similar procedure was adopted in the Cosford Union; following a gratuity of £10 for the current year, it was suggested the salaries of the medical officers be raised from £70-£75, 'to ensure permanent conduct of vaccination.'[608]Newmarket however, adopted a per case payment; initially this was fixed at 2/- per head for successful vaccination, but subsequently was reduced

[606] SRO(B), 611/12, Newmarket Guardians' Minute Book, 8 May 1838, SRO(L),36/AB/58, Wangford Guardians' Minute Book, 28 Nov. 1838, SRO(B), DC1/2/2, Cosford Guardians' Minute Book, 13 Feb. 1838, SRO(I), ADA7/AB1/4, Samford Guardians' Minute Book, 21 Feb. 1838.
[607] SRO(I), ADA2/AB1/4, Bosmere and Claydon Guardians' Minute Book, 9 Jan. 1838 and 24 Apr. 1838.
[608] SRO(B), DC1/2/2, Cosford Guardians' Minute Book, 14 May 1838.

first to 1/6d and then 1/- as the guardians no doubt, began to be aware of the total expense involved.[609]

Initially, there was a poor uptake of vaccination amongst the poorer classes, who regarded the acceptance of such services as implying pauperism. However, the 1841 Amendment quickly removed this inference of gratuitous relief, bringing an almost instant improvement; in 1840, the Poor Law Commission had reported 10,434 deaths from smallpox, a figure which fell immediately to 6,368 in 1841 and even further to 2,715 in 1842. A marked rise in 1843 and subsequent years was put down to the reduction in vaccinations after the epidemic had died down.[610]Vaccination was a highly contentious issue and provoked strong reactions not just amongst the poorest classes.[611] From 1853 an anti-vaccination movement developed and promoted the belief that vaccination could be the means of communicating 'other eruptive and cutaneous diseases.'[612] Other wild stories also fuelled reluctance to submit to vaccination; Anne Digby relates how villagers in the parishes of Henstead Union in Norfolk in 1847, had believed that the state's encouragement of vaccination was a plot to kill children under five, and that Queen Victoria was a modern-day Herod.[613]Given the prevalence of such beliefs amongst the bulk of the population, it seems unsurprising that the poor shared these views and resisted the process of vaccination as well.

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[609] SRO(B), 611/12, Newmarket Guardians' Minute Book, 8 May and 21 Aug. 1838.
[610] Hodgkinson, *Origins of the National Health Service,* p.29.
[611] Several sources including that of Wolf and Sharp, 'Anti vaccinationists past and present' *British Medical Journal* 2002 maintain that there were violent anti-vaccination riots in Ipswich following the 1853 Act, but I have been unable to verify this.
[612] Hodgkinson, *Origins of the National Health Service* p.30.
[613] Owen Chadwick, *Victorian Miniature* (Cambridge,1960), p86-7 cited in Anne Digby, *Pauper Palaces,* p.176.

All guardian minute books during this period comment continually on the failure to carry out a practice of widespread vaccination. Between the years 1848-1852, this problem seems to have been particularly acute; in a letter from the Poor Law Commission to the Newmarket Union in 1848, the former expressed their regret that four of the Union's vaccinators had not vaccinated at all during the year. The situation had barely improved by 1850 when 'only 163 poor had been vaccinated,' of which only 41 were children of under one year, out of 990 births. As a consequence, it was reported that the mortality rate for 1852 had increased over the previous year. The Board of Guardians was urged to encourage vaccination by producing public notices.[614]A similar situation occurred in the Cosford Union where again the Poor Law Board noted with regret the fact that no vaccinations had been carried out by the public vaccinator in the past year, in spite of 569 births. In 1852, they again drew attention to the low number of children vaccinated, and suggested the expediency of issuing the usual printed notices.[615]

The 1853 Vaccination Act which supposedly made vaccination of children compulsory, and imposed penalties on parents who failed to comply, appears to have made little difference to the long-term situation. Although large numbers were vaccinated in the second half of 1853, familiar exhortations from central poor law authorities were soon being made again; both the Samford, and Bosmere and Claydon Unions received letters from the Privy Council in march 1859, pointing out that only about one fifth of all new births had been recorded as successfully vaccinated, even though smallpox was

[614] SRO(B), 611/4 and 611/5 Letters to the Newmarket Union 1848-52.
[615] SRO(B), DC1/2/ 7 and DC1/2/8 14, Cosford Guardians' Minute Books, Oct 1850 and 15 Nov. 1852.

widespread in the country. As usual the guardians were urged to do their utmost to remedy the situation.[616] Confirmation that the act was not working might be found in its reissue in 1867, though its immediate effects were to cause some administrative chaos, with medical officers resigning old contracts and haggling over new ones. By 1870, the situation still appeared far from settled in some Unions, the Inspector of Vaccination, Dr. Stevens, pointing out to the Cosford guardians that 'arrangements for vaccination (were) very varied.'[617]

The passing of the Vaccination Acts had nevertheless clearly marked a new development in the provision of poor law services, extending its benefits not only to paupers but the poor in general. The acts made use of the existing poor law administrative structure to achieve their ends, utilising the services of its officers such as guardians, medical practitioners and ultimately even receiving officers, who were somewhat reluctantly appointed as prosecuting officers under the 1867 Act. Though the acts were not always successful in ensuring the widespread vaccination required, it seems likely that many more received the benefits of vaccination than might otherwise have been the case, particularly those in the workhouse, even if as was argued, this was at a loss of civil liberties in the compulsory nature of the 1853 and 1867 Acts.

Just as the prevalence of smallpox had led to an extension of poor law medical services through the development of vaccination, so too the advent of cholera was to lead to a similar extension through the requirements of the Nuisance Removal Acts and Public

[616] SRO(I), ADA7/AB1/12, Samford Guardians' Minute Book, 3 Mar. 1859, and ADA2/AB1/11, Bosmere and Claydon Guardians' Minute Book, 4 Mar. 1859.
[617] SRO(B), DC1/2/16, Cosford Guardians' Minute Book, 21 Nov. 1870.

Health Act of 1848. Though the causes and means of transmission of cholera were not fully understood, a link between generally unhygienic conditions and the disease had been correctly identified. It was ironically Edwin Chadwick, the secretary of the Poor Law Commissioners, (often considered to be the great oppressor of the poor) who was responsible for uncovering the widespread nature of these conditions. The reports of Drs. Arnott, Kay and Southwood Smith, commissioned by Chadwick, were incorporated in his own *Report on the Sanitary Condition of the Labouring Population* in 1842. This in turn brought pressure to bear on the government, which along with the approaching cholera was largely responsible for the Acts of 1848.

As with the administration of vaccination, the poor law administrative structure was seen as the best possible way in which the requirements of the acts could be implemented. There was also a further rationale behind the use of the poor law system, as Sir George Nicholls, early poor law reformer and original Poor Law Commissioner, was to state. In response to the new legislation, he commented that 'the execution of sanitary measures …… appears to come within the province of poor law administration, since disease in any shape tends to create destitution, the relief and prevention of which are the especial object of every poor law.'[618]The extension of poor law medical services was thus accommodated within existing poor law ideology.

The requirements of the Nuisances Act were to place a considerable burden on poor law officers, not least the guardians themselves. Though their responsibilities varied with changing legislation, through much of the period they were required to take steps

[618] Hodgkinson, *The Origins of the National Health Service,* p.635. Original source not cited.

for prevention of disease, after complaints were received from two or more householders as to noxious drains, privies and cesspools or filthy houses. Where owners refused to comply with the demands of the guardians for removal, the latter were required to submit the case to a magistrate. Though Chadwick was critical of many guardians in rural areas for their failure to take action, such was not the case in Suffolk, where many Unions appear to have taken their responsibilities seriously. A typical response was that of the Wangford Union, which in November 1848 passed a resolution that the whole of the Board of Guardians was to constitute a sanitary committee, to carry out the provisions of the Act of Removal of Nuisances and the regulations of the Board of Health. Sub-committees were also set up in the parishes made up of the local guardian and other parish representatives. Such bodies were extremely active over the next year, where at least two sub-committees, those of South Elmham and Bungay, were responsible for inspecting every house in their areas; their actions included amongst other things, the removal of cesspools and heaps of manure, particularly where they were too near dwelling houses.[619]

The role of administering the new Acts also fell heavily on the relieving officers and medical officers. Relieving officers in some areas were to become the lynchpin of the system; in the Bosmere and Claydon Union, following the 1848 Act it was immediately decided that relieving officers were to become responsible for 'superintending and carrying into execution the directions and regulations of the General Board of Health' and that they immediately take steps for the removal of nuisances.[620] In the early years

[619] SRO(L), 36/AB1/64, Wangford Guardians' Minute Book, Dec. 1848, Jan. and Feb. 1849.
[620] SRO(I), ADA2/AB1/8, Bosmere and Claydon Guardians' Minute Book, 10 Nov. 1848.

of the act, such extended duties appear to have attracted no extra remuneration, though following the 1860 Act, when relieving officers were given the designation of Nuisance Inspectors, extra salary does appear to have been negotiated.[621]

The brunt of extra duties resulting from the Nuisances Acts however, undoubtedly fell upon the poor law medical officers. In some areas, the medical officers themselves appear to have acted in the role of Inspector of Nuisances though they were not given the title.[622] But even where they had no such role, they had an immensely increased workload from the effects of such conditions; medical officer Faircloth in the Newmarket Union was urged to make a strict examination daily of every inmate of the workhouse when diarrhoea was rife and report to the Board weekly, whilst district medical officers were to furnish the board of guardians daily with a report of cases of cholera in their areas.[623] Wangford even required house to house visitations at the height of the 1853 epidemic.[624]Such demands clearly took their toll; Dr. Spurgin, a medical officer in the Samford Union complained bitterly during the 1853-4 outbreak of cholera, that he had spent the last six days in attendance on the sanitary committee in his district and had been made ill by the extra labour and 'exposure to the wet and sickening effluvia,' and the time-consuming tasks of making out reports for four out of his six parishes.[625]

[621] The Wangford Union offered its relieving officers £8 per annum extra for taking on the position in November 1860.
[622] SRO(I), ADA/6AB1/7, Plomesgate Guardians' Minute Book, 17 Jul.1854. Medical officers were to inform of Nuisances so that they could be dealt with and relieving officers were to provide assistance.
[623] SRO(B), 611/20, Newmarket Guardians' Minute Book, 18 Aug. and 6 Oct. 1854.
[624] SRO(L), 36/AB1/67, Wangford Guardians' Minute Book, 16 Nov.1853.
[625] SRO(I), ADA7/AB1/ 11, Samford Guardians' Minute Book, 12 Jan. 1854.

Though attempts at improving conditions were often half-hearted and tended to be reduced at both national and local level once the immediate threat of cholera had declined, it seems likely that the measures taken would have provided an overall improvement in health of paupers both in and out of the workhouse, and even that of the merely poor. Increased vigilance on the part of medical officers and the removal of the worst of the nuisances could not but have a positive effect on public health in the short term. However, the reiteration of the Nuisances Acts, suggest benefits were short-lived. In addition the extra demands on poor law medical officers made by smallpox and cholera could not be sustained. Long term improvements in the health of the poor, in any case, rested not just on vaccination and removal of nuisances but on better diets, improved ventilation and less overcrowding particularly in the workhouse, measures suggested by the Public Health Board, but consistently ignored by guardians. Though Nicholls might argue that the measures introduced under the Nuisances Act fitted in well with Poor Law ideology in the prevention of disease and therefore destitution, the extra expense involved in a permanent improvement clearly did not. Nor did measures suggested under the acts sit comfortably with ideas of less eligibility and deterrence. As Flinn concludes, the comprehensive service attempted through poor law officers was 'simply not compatible either with the underlying ideology of the New Poor Law, or with the willingness, let alone capacity, of the ratepayers to finance it.'[626]

By 1870, this gulf between the aspirations of the guardians and the medical profession had become a marked feature of poor law medical provision. From the very beginning

[626] Flinn, 'Medical Services under the New Poor Law,' p.53.

the two had had an uneasy relationship, with medical officers resenting their dependence on guardians and other poor law officers and the lack of professional recognition which they considered their due. Initial lack of guidance from central authorities left medical officers and medical provision in general, open to the whims of individual Boards of Guardians creating a far from uniform system. Although greater uniformity was introduced by the General Orders of 1842 and 1847 the divergence of approach began to be revealed in almost all aspects of medical treatment. At the centre of the problem was the determination of the guardians to act in the best interests of the ratepayers, whose representatives they were, by keeping costs down; thus they quibbled about payments to medical officers over extra services, resisted the provision of 'extras' in the diets of the sick, dragged their heels over the building of sick wards and infirmaries, and opposed the transfer of lunatics to the more appropriate (but more expensive) setting of the lunatic asylum. This approach was at odds with that of the medical profession, whose main aim was to provide the best conditions possible for cure or at the very least comfort, regarding cost as only a secondary issue. Some unity of purpose was achieved through central legislation on preventative measures, such as the Nuisances Act and the introduction of compulsory vaccination, where the guardians perhaps appreciated the longer term economic benefits of such measures, but they also exposed the weaknesses of the poor law system as a proto-Public Health Service.

From the point of view of paupers as recipients of the poor law medical service, their likelihood of better treatment by 1870 must have been immeasurably improved. From

the haphazard system of 1834, more structured provision was gradually established making it less likely that individuals would fall through the net. Though some might find it difficult to access the system, such problems became increasingly public thus making it more and more difficult to ignore them. Increasing medical knowledge also played its part in the changing emphasis to prevention. The pace of reform quickened in the 1860's with the involvement of individuals such as Florence Nightingale and Louisa Twining, and organisations such as the Workhouse Visiting Society and the Poor Law Medical Officers' Association. Above all, was the influence of the medical press. Between 1865 and 1866,the *Lancet* set up its own private 'commission' of three well-known doctors, to report on the state of workhouse 'infirmaries'. Its findings, along with the pressure from the reformers and reforming groups, were to significantly influence the establishment of the Metropolitan Poor Law Amendment Act of 1867, a landmark in the treatment of sick paupers. The Act, and its later provincial equivalent, were now to recognise officially, the incompatibility of medical and poor law ideology by recommending that 'infirmaries' for sick paupers should be outside the workhouse. Thus in theory at least, their treatment was likely to be kinder, more appropriate, and less difficult to access than it had hitherto been.

Chapter 7

Poor law policy on education

Unlike the piecemeal approach adopted towards the development of medical policy, the poor law authorities quickly adopted an approach to education which was based on a sound philosophical position, a position largely shared by both the Poor Law Commissioners and their Assistants. Their major concern was to provide workhouse children with an 'appropriate if rudimentary education' in order to get them out of the spiral of pauperism, believed to be inherited from their parents.[627] Although the Poor Law Report of 1834 made little reference to education, a more detailed appendix to the report exposed the inadequacies of the existing system, in achieving the results envisaged for it. In most parish workhouses it stated, pauper children either received nominal instruction from an adult pauper or were sent to the local day school, but in both cases became apprentices as soon as possible.

Shortly after its formation the Poor Law Commission laid down regulations which Duke claims were 'ambitious, but in keeping with the spirit of the New Poor Law, though they did not adhere to the concept of 'less eligibility.'[628] Each Union was to set up a properly constituted school with a salaried schoolmaster and schoolmistress to provide a minimum of 3 hours teaching a day. The curriculum was to consist of the 3Rs and the principles of religion, whilst 'additional but undefined' industrial training was to be

[627] Francis Duke, 'Pauper Education', in Derek Fraser (ed.), *The New Poor Law in the Nineteenth Century* (London, 1976), p.67.
[628] Duke, 'Pauper Education'. p.68.

given in order to 'fit them (pauper children) for service and train them to habits of usefulness, industry and virtue.'[629] It was probably the intention of the Poor Law Commission, that segregated workhouses would provide a self-contained area for children to be taught, away from the corrupting influence of their parents. The fact that all workhouses became general ones with all categories of paupers mixed together, clearly did not auger well for the success of the policy. From the very beginning two of the Assistant Commissioners, Dr. James Kay [after 1842 Kay-Shuttleworth] and Edward Tufnell, took a great interest in educational policy in the workhouses. Their later views, which in effect became New Poor Law policy on education, were set out in detail in in the *Fourth Annual Report of the Poor Law Commissioners* in 1838.

The development of such a policy however, did not ensure its acceptance by poor law guardians. As over other issues, tensions between central and local authorities ran high, and poor law guardians were as ever, keen to maintain their autonomy at local level. Costs were also a major consideration; as representatives of the ratepayers, guardians considered it their duty to keep these to a minimum. Where either of these issues was threatened the guardians could prove intransigent. Other factors also militated against the full implementation of policies. Workhouse conditions were often uncongenial to staff and inmates alike, which together with the reluctance of guardians to pay adequate wages, often made it difficult to attract teachers of any quality. Without the will of the guardians or the ability of teachers, it seemed unlikely that the aims of central authorities would be fulfilled at local level.

[629] *First Annual Report of the Poor Law Commission* 1835, cited in Duke, 'Pauper Education', p.68.

This chapter examines educational practice in Suffolk Unions and assesses how far it followed recommended national practice. In addition it looks at the influence of Dr. James Kay on that recommended practice, and his success in seeing it carried out, both locally as Assistant Poor Law Commissioner for Norfolk and Suffolk in the early years of the New Poor Law, and nationally from 1839 as First Secretary to the Committee of Council on Education.

Kay's philosophy on education of paupers

From the outset, it can be seen that Senior and Chadwick, the main architects of the New Poor Law had a clear idea of the purpose of education of pauper children.[630] This view is noted by Ursula Henriques who suggests that they always had 'education on the agenda as a depauperising influence' and that this view was largely shared by the Assistant Poor Law Commissioners.[631] Crowther concurs, stating similarly that the Report of 1834 'took it for granted that workhouse children would have to be educated, even though the principle of universal education was not widely accepted.'[632]

This surprising departure from the poor law orthodoxy of 'less eligibility' was later to be underpinned by the philosophy set out by Kay in the *Fourth Annual Report of the Poor Law Commissioners*. Here, he explained the different approach to pauper

[630] By education, Senior and Chadwick meant sufficient knowledge of the 3R's to fit them for their station in life together with such Christian background as to provide them with a moral compass to guide them.
[631] Ursula Henriques, *Before the Welfare State* (London,1979), p211.
[632] Checkland, 'Poor Law Report' cited in M. A Crowther, *The Workhouse System 1834-1929*, p.201.

children by stating that they were 'dependent not as a consequences of their errors but of their misfortunes' and that such dependency was not just for food and clothing but the 'moral sustenance' needed for independence. Given that many of the children in the workhouse were orphans, bastards or had been deserted, he argued that guardians were *in loco parentis* and that therefore it was their duty to provide the moral training that their parents might otherwise have provided. The education of such children he believed, needed to be of higher quality than that of poor children of independent labourers, since they were at a greater initial disadvantage. Only by such education, he believed, would the cycle of poverty and dependency be broken. His aim therefore was to inculcate an early habit of industry and the skills to become independent labourers by some form of industrial training and a basic education in the 3Rs, to enable them to deal with the necessities of everyday life.

Opposition from the guardians

Herein however, lay the first major obstacle to the acceptance of a national policy, since many of the guardians rejected even the desirability of providing any education for the pauper classes at all. Such views were confirmed by the Select Committee of 1838, stating that farmers were 'not aware of the necessity for education.' The same view was expressed over 20 years later in the Newcastle Royal Commission of 1861, which commented that 'in all but the largest towns……[guardians]……are taken from a class generally indifferent to education and often hostile to it.' [633] The reasons for such

[633] Select Committee on the Poor Law Amendment Act, 1837-38. P.P. (202) XVIII. Part 1, Question 986 cited in Frank Crompton, *Workhouse Children* (Stroud, 1997) p.154. Newcastle Royal Commission, 1861 P.P. (2794-1) XXI. Part 1, Question 986.cited in Crompton, *Workhouse Children,* p.154.

a view had been expressed as early as 1807 in Whitbread's Bill for the Instruction of Poor Children. In opposing the bill, Davies Giddy, High Sherriff and MP for Cornwall, remarked that 'education would teach the lower orders to despise their lot in life, by enabling them to read seditious pamphlets and render them insolent to their superiors.'[634] Henriques suggests that this was an attitude still persisting amongst rural farmers and gentry, (who largely made up the Boards of Guardians in Norfolk and Suffolk) throughout the nineteenth century.[635] Kay too recognised that local guardians saw education for the poorer classes as an unnecessary change in the *status quo* and even an incitement to rebellion; he states that the questions the guardians asked were 'what had the hedger and ditcher, the team driver, the shepherd, the hind, the ploughman, to do with letters except to read incendiary prints against masters, bastilles and the oppression of the New Poor Law.'[636] Thus, Kay and Tuffnell were to encounter significant opposition, sometimes even in the attempt to gain the most basic education for pauper children.

The teaching of writing to workhouse children was particularly opposed on grounds which appear to have been widespread. Kay suggest that it was seen as 'not simply preposterous but dangerous' by many guardians, and 'like putting the torch of knowledge into the hands of rick-burners.'[637]A more prosaic reason however was put forward by the Bedford Union in 1836, which sought permission 'to have writing

[634] Hansard, House of Commons Debate on Parochial Schools Bill, 13 Jun. 1807 Vol.9.
[635] Henriques, *Before the Welfare State,* p.200.
[636] 1877 Manuscript cited by Frank Smith in *The Life and Works of James Kay Shuttleworth,* (Trowbridge 1923), p.47. This refers to a document which Smith states Kay Shuttleworth wrote much of during the last year of his life.
[637] 1877 Manuscript cited by Smith, *The Life and Works of Sir James Kay-Shuttleworth,* p.47.

omitted as part of the schoolmaster's instruction and that he teach reading only,' on the grounds that pauper children should not have a greater advantage than children outside the workhouse.[638]

In Petworth Union in Sussex, in 1837, reading was taught but not writing or arithmetic, a situation which the Select Committee of that year reported as 'not merely countenanced by the guardians but positively welcomed by them.'[639] Frank Crompton came across a similar attitude in Worcestershire, which he attributed mainly to rural guardians as opposed to urban ones. He noted that in the Pershore Union in 1839, the visiting committee, largely made up of urban representatives, had proposed the purchase of ink, pen and paper, but that this was rejected by the other guardians (mainly rural) who thought that it was 'quite unnecessary to teach the children in the Union workhouse the accomplishment of writing.'[640]In theory the problem was remedied by the 1844 Parish Apprentices Act which required the pauper apprentice to 'read and write their own name unaided'. The following year therefore, Pershore was ordered to teach writing. However, at Martley Union in 1846, the guardians still refused to allow the teacher to teach writing because they did not feel justified in going to any expense 'whereby they [the inmate pauper children] might receive advantages that are not attainable by the children of those who support their families

[638] Cited by Smith, *The Life and Works of Sir James Kay-Shuttleworth,* p.46.
[639] Cited by Frank Crompton, *Workhouse Children,* (Stroud,1997), p149.
[640] *Ibid*. p.154.

without parochial relief.'[641]The poor law authorities could only respond by threatening to issue a writ of mandamus if the union did not comply.

Education in Suffolk workhouses

Though not categorically stated, this attitude is also implied in some of the Suffolk workhouses; writing and even arithmetic appear to have been lacking in the curriculum of Stow workhouse in 1837, where the chaplain inquired 'whether elementary arithmetic and writing might not be taught the boys with advantage.'[642] Though the records suggest that by 1840, the boys were at least learning some arithmetic, the status of writing appears unclear. A more robust rejection of the need for writing was made by Newmarket guardians, who resolved in June 1837 that 'the system of education to be pursued in the workhouse, should be enforced to reading only.' However, such a stance was short-lived. Following a reminder from the Assistant Poor Law Commissioner Colonel Wade that Orders of the Poor Law Commissioners required writing to be taught in schools, the guardians now rescinded their prohibition on its teaching .[643] In theory at least, national policy appears to have prevailed over local demands in this instance.

Suffolk and Norfolk, as the regions for which Kay was Assistant Poor Law Commissioner, had early notice of his ideas (though some were still to be developed), in a circular of 1837.[644] It was here Digby maintains that Kay's ideas were first put into

[641] Michelle Higgs, *Life in the Victorian and Edwardian Workhouse* (Stroud, 2007), p 112.
[642] SRO(I), ADA8/CB7/1, Stow Chaplain's Book, 16 Jan. 1837.
[643] SRO(B), 611/12, Newmarket Guardians' Minute Book, Jun. and Oct. 1837.
[644] Alexander Ross, 'Kay-Shuttleworth and the Training of Teachers for Paupers Schools,' *British Journal of Educational Studies,* Vol.15 No.3. Oct.1967 p.275-83.

effect. She sees his influence as key in getting guardians to accept the poor law policies that he had been largely responsible for developing.[645] Crompton concurs with this view; contrasting the poor state of workhouse education in Worcestershire with that of East Anglia, he comments that 'enlightened attitudes were almost completely lacking in Worcestershire and it appeared likely that the lack of an analogue to Kay's influence, so far from East Anglia, was the cause of this.'[646] The evidence available for Suffolk also supports this view to some extent. In Ipswich, the guardians found the ideas sufficiently important to record them in full detail and were to be quick to attempt to adopt one of Kay's central ideas, that of 'industrial training' for pauper children. [647]

Industrial training

Kay's view was that 'industrial training' be taught alongside the 3Rs, in order to establish the habits of labour and fit the pauper child for work in the independent labour market. His ideas had been honed by visits to experimental institutions such as Lady Byron's school, a private institution in Ealing Grove and Aubin's school at Norwood, sometimes used by overcrowded Metropolitan Unions. Lady Byron's school at Ealing Grove was run on the principles laid down by a Dr. Fellenberg, a noted educational reformer on the continent, who Kay was later to visit. Each pupil had his own allotment which allowed him to learn gardening, habits of work, care of tools, keeping accounts and the benefits of co-operative effort. It was this system which Dr.

[645] Anne Digby, *Pauper Palaces,* p.180.
[646] Frank Crompton, *Workhouse Children*, p.192.
[647] SRO(I), DD1/28/2/2, Ipswich Guardians' Minute Book, 2 Oct. 1837.

Kay specifically recommended to the guardians at Ipswich, suggesting also that the teaching of the 3Rs could be linked to practical experience through the provision of tracts on gardening. A similar regime was recommended for the girls who he stated could be taught 'needlework, knitting and scouring,' as part of the domestic arrangement of the workhouse. The schoolmistress was to have books on frugal cooking such as would be useful as reading and comprehension matter, though ultimately the aim was only that they should become 'discreet and respectable' young women.[648]

Kay had sufficient influence to have his ideas adopted or at least considered in a number of East Anglian Unions; in Norfolk the Walsingham Union sent their teachers to Ealing Grove to look at the practices carried out by Lady Byron.[649] In Suffolk the chairman of the guardians of the Ipswich board, William Rodwell, is recorded as having visited both Lady Byron's and a school in Hackney, operated on the same principles.[650] Subsequently, an advertisement for a teacher was put in the local papers stating that the appointed candidate would be 'given the opportunity of becoming acquainted with a useful system of industrial, moral and religious training by residence of two to three months in a model school in the neighbourhood of London.'[651] This approach was further confirmed by an entry in the guardians' minute book six months later, where it was stated that books were to be ordered for carrying out 'the system of education

[648] SRO(I), DD1/28/2/2, Ipswich Guardians' Minute Book, 2 Oct. 1837.
[649] Digby, *Pauper Palaces,* p.190.
[650] SRO(I), DD1/28/2/2, Ipswich Guardians' Minute Book, 20 Nov. 1837.
[651] *Ibid.* 20 Nov. 1837

and instruction adopted at Lady Byron's school at Ealing.'[652] Similarly in the Samford incorporation, following visits of the Governor and Chairman to both Lady Byron's and Victoria asylum at Chiswick, it was declared that the 'mode of instruction and pursuits in the work of industry in schools be adopted in their house' though this was to be 'as gradually as possible.'[653] Plomesgate Union were to go one step further in 1838, by sending a boy, John Watling, to Lady Byron's to learn the system before being indentured as an apprentice by the Board of Guardians and presumably also introducing the system there.[654]

Even in Unions where no visits are recorded to Lady Byron's or the other experimental schools, the influence of Dr. Kay's ideas are still discernible. In September 1837, Cosford guardians set up a committee to look at the recommendations of Dr. Kay 'to assist and promote an industrial system of education.'[655]The views of the Wangford Union education committee clearly also reflect Kay's stance in firmly rooting its approach in both the moral and practical aspects required of pauper education. The committee stated the importance of giving children both 'the power and will to support themselves in the future.' All academic education was justified on this basis; Christian instruction was to give training in 'active and moral habits', arithmetic to give the 'facility for calculation' for the everyday employments requiring simple calculations, and writing, though considered of less importance, was supported in the

[652] *Ibid.* 20 Nov.1837 and 16 Apr. 1838.
[653] SRO(I), ADA7/AB1/4 Samford Incorporation Minute Book 6 Dec and 20 Dec. 1837
[654] SRO(I),ADA6/AB1/1, Plomesgate Guardians' Minute Book 13 Mar.1838.
[655] SRO(B), DC1/2/2, Cosford Guardians' Minute Book 26 Sept. 1837.

belief that it could lead to 'preference and advancement'.[656] As with Kay's arguments, industrial training was to be a key element, with the recommendations that boys should learn to garden and some rudiments of shoemaking, tailoring and carpentry, whilst the girls be taught to sew and knit, make clothing and do household chores such as assisting in the kitchen. Such training it was argued would help paupers provide for their own needs, as well as fit them for the independent labour market.[657]

The role of the chaplain

Though a new emphasis had now been placed on 'industrial training', a basic academic education was also considered important; this was reflected in the general orders of the Poor Law Commissioners which as previously noted, laid down that each Union was to set up a properly constituted school with a salaried schoolmaster and schoolmistress who were to provide three hours schooling a day, teaching the 3Rs and the principles of religion. The latter automatically involved the chaplain of the Union, a workhouse officer living outside the workhouse, who often had other responsibilities elsewhere. To encourage the development of education in the workhouse, Digby states that Kay got the assistance of *ex officio* religious men on the Board of Guardians, (who he considered the more progressive members), in promoting the involvement of the chaplain in education, in 'a more supervisory and advisory role.'[658] The educational duties of chaplains in Suffolk varied widely. In the workhouse rules developed by Kay, the specific duty of the chaplain was to examine and catechise the

[656] SRO(L), 36/AB1/58, Wangford Guardians' Minute Book, 18 Oct. 1837.
[657] *Ibid.* 18 Oct. 1837.
[658] Digby, *Pauper Palaces,* p.184.

children at least once a month and this had been dutifully copied down in the frontispiece of the chaplain's book for the Union of Stowe.[659] Other Unions however, demanded more for their money and in October 1835, a requirement of the chaplain in the Bosmere and Claydon Union, was to catechise the children at least once a week.[660] The demands made of the chaplain in the Woodbridge Union were even greater; here he was required to attend the school daily.[661]

It is clear however that in most Unions the chaplain's role went well beyond this, perhaps an unsurprising factor given that even outside the workhouse, education for the poorer classes was provided mainly by church organisations, through the National Schools and the British and Foreign Schools Society. Thus, we find chaplains carrying out roles which might more readily have been considered to be the province of the schoolmaster or mistress. Book recommendations appear to have been a major part of the chaplain's role, as envisaged by Kay, though these seem mainly to have had a religious aspect. In Newmarket the chaplain was recorded as having 'drawn up a list of books for the religious education of children.'[662]Similarly in the Wangford Union, the chaplain's request for 'six bibles and maps of countries mentioned in the Old Testament', were to be purchased.[663] Other purchases of books remain unspecified but in the control of the chaplain; in the Bosmere and Claydon Union in 1839, two

[659] SRO(I), ADA8/CB7/1, Stowe Union Chaplain's Book, July 1837.
[660] SRO(I), ADA2/AB1/19A, Bosmere and Claydon Guardians' Minute Book, 26 Oct. 1835.
[661] SRO(I), ADA12/AB1/6, Woodbridge Guardians' Minute Book, 1 Mar. 1848.
[662] SRO(B), 611/13, Newmarket Guardians' Minute Book, 8 Dec.1840.
[663] SRO(L), 36/AB1/59, Wangford Guardians' Minute Book, 4 Dec. 1839.

dozen books recommended by the chaplain were to be bought,[664] whilst in Ipswich in 1855, £2.10 was to be paid out for 'books to be purchased by the chaplain.'[665]

In some Unions, it is also clear that the chaplain took on the wider advisory role envisaged by Kay. In the Bosmere and Claydon Union the chaplain was particularly active between 1839 and 1844, though subsequently his role was taken over by Her Majesty's Inspectorate. The chaplain is recorded as having visited the girls' school and reported on it in August 1839, whilst an entry for November 1840 stated that the chaplain was to report weekly on the schools. This initiative, along with the setting up of a school visiting committee was largely the work of Dr.Etough, a religious man and *ex officio* member of the Board of Guardians.[666] Such an initiative was clearly in line with the administration of workhouse schools envisaged by Kay.

Kay's views are also reflected in the records of the Stowe Union, where the chaplain notes his visits and judgements in the chaplain's book – the only one extant in Suffolk. He trod a 'progressive path,' of which Kay would have approved, by suggesting that arithmetic and writing should be taught to the boys, perhaps countering the views of more backward-looking guardians. Nevertheless, he was also sufficiently orthodox to suggest that the boys only required 'that such subjects should be given them as may be considered necessary for their future practical benefit.'[667]His impact however seems to have been limited. In spite of the fact that the chaplain's duties included a

[664] SRO(I), ADA2/AB1/4, Bosmere and Claydon Guardians' Minute Book, 30 Sept. 1839.
[665] SRO(I), DD1/28/2/8, Ipswich Guardians' Minute Book, Mar. 1855
[666] SRO(I), ADA2/AB1/5, Bosmere and Claydon Guardians' Minute Books, 16 Nov. 1840.
[667] SRO(I), ADA8/CB7/1, Stow Chaplain's Book, 23 Nov.1837.

monthly visit to the workhouse school, entries in his book are irregular, with only a single entry for the years 1838 and 1839.

The chaplain's failure to live up to expectations can also be seen in a number of other Unions. In the Wangford Union in May 1847, a complaint was made that the chaplain had not inspected the children since February.[668] Complaints of a similar ilk were recorded in 1857 by Inspector Walsham; he stated that there had been 'no inspection of the school for nine weeks by the chaplain.' The same was true in 1862 when Walsham again commented on the failure of the chaplain, over a number of weeks, to report on the workhouse school and progress made by its inmates.[669] In the Newmarket Union in 1861, although it was accepted that the chaplain was carrying out his duty of hearing the catechism of the children, some doubt was thrown on whether he was testing other aspects of their education which, Walsham reminded the Union, were part of the general orders of the poor law authorities.[670]Though individual chaplains sometimes failed in their duty however, it is clear that, although the direct influence of Kay had long gone, attempts to carry out his policies in maintaining the role of the chaplain, were still being made by the poor law authorities.

Schoolteachers

Ultimately however, though the chaplain might fill an important advisory role, it was the quality of teachers and teaching which Kay recognised as the key factor in assuring a sound education in workhouse schools. He was well aware that in the past, where

[668] SRO(L), 36/AB1/64, Wangford Guardians' Minute Books, 12 May 1847.
[669] SRO(L), 36/AB1/69 and 73, Wangford Guardians' Minute Books, 15 Apr. 1857 and 26 Mar. 1862.
[670] SRO(B), 611/8, Letter to the Newmarket Guardians, 27 Mar. 1861.

workhouse schools existed at all, they had been conducted by poorly paid and largely untrained teachers. Kay's interest in the quality of teaching had been stirred by the examples he had seen in Scotland, in Mr. Wood's Sessional School in Edinburgh and Mr. Stow's Model School and Normal Seminary in Glasgow. These schools emphasised the importance of 'intelligence, understanding and interest as against mechanism, memorising and drill' and it was such pedagogy that Kay tried to introduce into English workhouse schools. [671]

In the Bosmere and Claydon Union in October 1837, a note in the guardians' minute books records a letter sent to them by Dr. Kay offering the visit of a few days of a schoolteacher trained in 'one of the Model Schools of the Church of Scotland, who is acquainted with the system of moral and religious instruction favoured in the parochial schools of the church.'[672] Initially the guardians bristled at this implied criticism of their methods, and rejected the offer, stating frostily that the school was in a 'state of order and discipline' and did not require assistance. However, Kay's persistence appears to have paid off, since in December 1837 when again he states his desire to 'introduce to their notice a schoolmaster well-acquainted with the new method of school business to instruct their master for a short period of time,' his offer was accepted.[673] As a result Bosmere and Claydon's workhouse at Barham became a model which other Unions in the county were encouraged to visit and copy.[674] Thus, Stow guardians' minutes, report that in October 1837, the schoolmaster was 'to go again to Barham

[671] Smith, *The Life and Works of Sir James Kay-Shuttleworth,* p.48.
[672] SRO(I), ADA2/AB1/3, Bosmere and Claydon Guardians' Minute Book, 17 Oct. 1837.
[673] SRO(I), ADA"/AB1/3 Bosmere and Claydon Guardians' Minute Book, 19 Dec. 1837.
[674] Digby, *Pauper Palaces,* p.186.

workhouse for two or three days to observe the ways in which the boys were instructed.'[675]

Cosford Union was similarly to show the influence of Kay's adherence to the principles of the Scottish schools. The duties of the schoolmaster were set out at length in its minutes of November 1839, where it was stated that the boys should be instructed 'upon the plan of the Edinburgh Sessional School.'[676]It is clear, that long after his departure, Kay's view on the need for good quality teachers had gained some converts. As late as 1852, the clerk of the Ipswich Union was still corresponding with the Seminary in Glasgow over the services of a competent master.[677] Similarly, Kay's views were to be maintained as central policy by the Poor Law Board, who in February 1848 recommended that the Woodbridge Union, should apply to Mr. Stow of the Normal School in Glasgow, for his advice on a competent teacher.[678]Though they rejected this advice, they had clearly embraced the idea of trained teachers, since in May 1850 when candidates for the post of schoolmaster proved unsuitable, they stated their intention of applying to a training school in Norwich or elsewhere.[679]

Kay placed great store by the changes the Scottish teachers would bring. In November 1837, he wrote to Frankland Lewis, one of the Poor Law Commissioners, stating 'I have been employing them [the Scottish schoolmasters] as missionaries of their truth in

[675] SRO(I), ADA8/AB1/20, Stow Guardians' Minute Book, 10 Oct. 1837.
[676] SRO(B), DC1/2/3, Cosford Guardian's Minute Book, 18 Nov.1839.
[677] SRO(I), DD1/28/2/7, Ipswich Guardians' Minute Book, 28 Aug. 1852.
[678] SRO(I), ADA12/AB1/6, Woodbridge Guardians' Minute Book 16 Feb. 1848.
[679] SRO(I), ADA12/AB1/7, Woodbridge Guardians' Minute Book, 22 May 1850.

teaching.'[680]However, his expectations of the Scottish schools proved to be misplaced. Only six Scottish teachers were employed by 1838 in English workhouse schools, the demands and salaries proving unattractive.

Alternative measures of training were clearly required. One such method was to be developed in the pupil-teacher system which appears to have arisen spontaneously in the Norfolk Union of Mitford and Launditch. The system here was discovered by Horne, one of Kay's imports from the Scottish schools, who had been employed as organising master in the workhouse schools of the eastern counties. On a visit to the workhouse schools in the Mitford and Launditch Union, Horne had found that, in spite of the illness of the schoolmaster, teaching was going on efficiently and with good order under one of its older pupils, William Rush. Rush, in return for teaching pupils had been given separate accommodation within the workhouse, and provision had been made for his continued studies and training.[681] Following a visit to Holland in 1838, where the system was also in operation, the pupil-teacher system was promoted by Kay, in his attempts to produce the good quality teachers, which he considered to be so important. Whilst Digby maintains that there were several examples of pupil-teachers in Norfolk, there is little reference to such teachers in Suffolk, during the period 1834-70. However, the idea does appear to have been embraced in the Ipswich Union. Though there appears to be some differences between the Board of Guardians and central poor law authorities over the manner in which they were to be employed,

[680] TNA MH 32/49, Letter from Kay to Lewis, cited in Ross, 'Kay-Shuttleworth and the Training of Teachers for Pauper schools.'
[681] Smith, *The Life and Works of Sir James Kay Shuttleworth,* p.50.

both Ada Peeling and her sister Clara were reported to be pupil-teachers in the 1850's, the former receiving a relatively high wage in line with her qualifications, of £37.10s.[682]

In order to assist the training of pupil-teachers Kay was to develop the idea of training colleges, the first one being set up in his home at Battersea, and privately funded by himself and Tuffnell.[683] Kay by this time was no longer an Assistant Poor Law Commissioner, but in 1839 had been appointed as First Secretary to the Committee of Council on Education. Though he now had a wider brief for education, Kay was to maintain a close personal interest in pauper education and the Battersea experiment was created very much with this in mind. Its first students were from Norwood and the accent was on 'industrial' training and 'a simplicity of life not remote from the habits of the humbler classes.'[684]The experiment was however to founder from Kay's point of view, since although later the Battersea college was given grants by the Committee of Council on Education , it was not supported by the Poor Law Commission and was eventually handed over to the National Schools' Society in 1844. A similar experiment in the creation of Kneller Hall after 1846, as a training college specifically for workhouse teachers, proved equally short-lived; after training, teachers acquired higher aspirations, and conditions and salaries in workhouse schools were just too unattractive. In the short term, it would appear that Kay's attempts to improve the quality of workhouse teachers had only limited success, though pupil-teachers were to become a regular feature of elementary schools outside the workhouse.

[682] SRO(I), DD1/28/2/9, Ipswich Guardians' Minute Books, 27 Dec. 1856 and 19 Dec. 1857.
[683] Ross, 'Kay-Shuttleworth and the Training of Teachers for Pauper Schools.'
[684] Kay and Tufnell, *Reports on the Training of Pauper Children 1841* , p 212 cited in Ross, 'Kay-Shuttleworth and the Training of Teachers for Pauper Schools.' p.279.

Kay was also to have mixed success in the creation of a policy to improve the quality and status of teachers through improvements in wages and conditions. As Secretary to the Committee of Council on Education from 1839, he commanded a position of greater influence and having maintained his special interest in workhouse education, Kay was able to gain the establishment of a central fund of £30,000 to pay workhouse teachers, thereby removing the obstacle of parsimonious guardians in the employment of well-trained teachers. An inspectorate of five was also created, which would report on not only the standard of education of pupils, but also the quality of the teacher. On this report the level of salary would be determined. Three levels of achievement were introduced; probation, competency and efficiency and certificates were first awarded in 1849, mainly in the two lower classes. This however, Duke states, led to an unforeseen mass exodus from the 'profession', though he concedes that in the longer term their replacements were of a higher standard. By 1857, he states that many more teachers were achieving the highest standard of achievement – 234 compared to the 134 achieving the lower standards, the reverse of 1849 where only 137 achieved the higher standards and 236 the lower.[685] Though there is certainly evidence of inspection and levels of attainment reached by schoolteachers in Suffolk, this appears to have had little impact on the levels of salary received. Only four schoolteachers are recorded as receiving more than the minimum of £35 for men and £20 for women, recommended by Kay, the remainder showed little change from earlier salaries, rarely rising above £30 *per annum* for men and £20 *per annum* for women.[686] These figures

[685] Duke, 'Pauper Education', p.74-5.
[686] George Blyth £45 SRO(L), 36/AB1/65, Wangford Guardians' Minute Book, 24 Oct. 1849., Susannah Scotchener and John Smith £42.3.0d and £55 , SRO(I), DD1/28/2/9, Ipswich Guardians' Minute Book, 26

fell well-short of the recommended £40 and £30 originally made by Kay for men and women respectively, and even more so of the average earnings of workhouse schoolmasters given as £65 *per annum,* in the Newcastle Commission Report of 1861.[687]

The changes to the method of providing salaries grew out of a minute prepared for the government, in which Kay appealed not just for central funding, but for a raised status of teachers in general, through improvement in conditions such as home comforts, holidays and leisure time. Such views reiterated those of Kay's earlier submission to the *Fourth Annual Report of the Poor Law Commissioners in 1838*, in which he had recommended that 'the schoolmaster be provided with a separate apartment, comfortably furnished and ……. allowed to take his meals in private.' In addition, rather than the general duties required of the schoolteachers in most Unions, he recommended that their 'whole time and attention should be devoted to the school.' Matters of comfort and status were not embodied in general orders, but occasional individual improvements can be seen such as those in the Ipswich Union, where the visiting committee of October 1859 recommended that several articles of furniture be bought for the schoolmistress as well as a stove. The failure to mention any such improvements in other Unions however, would tend to suggest, that in line with their general determination to pay out as little as possible, little was done.

Sept. 1857, and Henry Carilon £37.12s., SRO(I), DD1/28/10, Ipswich guardians' Minute Book, 25 Jun. 1859.

[687] Newcastle Commission Report 1861, cited in Ray Pallister, 'Workhouse Education in County Durham 1834-79, *British Journal of Educational Studies,* Vol. 16, No.3. October (1968), p.281.

Thus, whilst Kay had been able to take the payment of teachers' salaries out of local hands, in Suffolk at least, this had not resulted in greatly increased payments and standards, nor had there been an overwhelming improvement in terms and conditions. As Kay himself was to recognise, many schoolteachers continued in their 'obscure and monotonous toil, which offered few attractions, and from which efficient teachers would wish to escape as soon as possible.'[688] Such a view was also given credence by a letter of Stow's, from the Sessional School in Glasgow, stating that his trained teachers would no longer accept positions under the control of Boards of Guardians because they were 'partly composed of illiterate and ignorant farmers, whose delight it is to find fault.'[689]

Though Kay did his best to raise the quality of teachers in the creation of training schools, few of them employed in the early years of the poor law had any training or experience and were only required to be literate. Crowther notes that at the Blean workhouse in Kent in 1840, of the respondents to an advertisement for a schoolmaster, only one had any teaching experience, that being In a Sunday school for six years.[690]Though guardians had low expectations of their schoolteachers, they nevertheless often found it difficult to recruit candidates, and rejections and re-advertisements are recorded frequently in the guardians' minute books. In July 1843, the Bosmere and Claydon guardians' record only one reply to their advertisement for a schoolteacher, who they failed to appoint as he was 'not at all acquainted with the

[688] Minutes, 1846, vol. i. p.47-56 cited in Smith, *The Life and Works of Sir James Kay-Shuttleworth,* p.172.
[689] *Ibid.* p.171-2.
[690] Crowther, *The Workhouse System* 1834-1929, p.131.

duties of a schoolmaster and in his general appearance not well-adapted.'[691] In preference they fell back on the services of a pauper inmate, a situation scarcely likely to have improved the quality of education.

A similar lack of expertise was also to be found amongst aspiring schoolmistresses in the same Union. Although five candidates responded to an advertisement in 1840, the guardians recorded that not one of them was able to teach writing and none were considered competent.[692] Similar problems were encountered in the Wangford Union in November 1850, when advertisements placed not only in local papers but also *The Times* for two weeks, only elicited the response of one candidate. Further advertisements the following month also had little success, none of the three candidates being considered suitable.[693] The Woodbridge Union fared little better with a series of schoolmistresses, between 1844 and 1850, being considered incompetent or inefficient, whilst the chaplain in Stow Union reported in April 1842 that 'the schoolmistress knows little or nothing.' [694]

The failure of schoolteachers to reach even the low standards of the guardians often led to dismissal or resignation and the frequent turnover of personnel is the most notable feature of the guardians' minute books during the period 1834-70. In Norfolk, Digby states that the average turnover for schoolteachers during the first decade of the New Poor Law was once every eighteen months.[695] A similar situation occurred in

[691] SRO(I), ADA2/AB1/6, Bosmere and Claydon Guardians' Minute Book, 28 Jul. 1843.
[692] SRO(I), ADA2/AB1/5, Bosmere and Claydon Guardians' Minute Book, 9 Nov. 1840.
[693] SRO(L), 36/AB1/65, Wangford Guardians' Minute Book, 27 Nov. and 18 Dec. 1850.
[694] SRO(I), ADA12/AB1/5 and 7, Woodbridge Guardians' Minute Book, 16 Oct. 1844 and 17 Apr. 1850. SRO(I), ADA8/CB7/1, Stow Union Chaplain's Book, 6 Apr. 1842.
[695] Digby, *Pauper Palaces,* p.187.

Suffolk, though there were also long periods when the turnover was greater than this; in the Bosmere and Claydon Union six different teachers were employed in the four and a half years between 1839 and 1843, five in the Cosford Union in the six years between 1836 and 1842 and ten in the Stow Union between 1836 and 1841. Moreover, the problem seems to have extended beyond the first decade, with Samford and Woodbridge Unions both experiencing a turnover of more than one teacher a year between 1848 and 1855.[696] Such frequent changes in personnel often created gaps where little or no teaching was done. Crompton states that in the Martley Union in Worcester, following the resignation of two schoolmistresses in 1845, the pupils had gone unattended for almost a year.[697] Whilst no school in Suffolk appears to have been without schoolteachers for such a length of time, often weeks went by between the resignation or dismissal of one and the appointment of another. The effects of this on the education of workhouse children was pointed out by the chaplain of the Bosmere and Claydon Union, who on a visit to the girls' school in August 1839 found them 'making no progress' and even 'going backwards,' a situation he put down to the ' frequent change of instructors.'[698]

Anne Digby ascribes poor wages as one of the main causes of the large turnover of teachers.[699] However, the figures she gives provide a less than convincing argument, with wages for schoolmasters in workhouse schools at £15-£30 *per annum,* as well as

[696] Guardians' Minute Books between these years.
[697] Crompton, *Workhouse Children,* p.155.
[698] SRO(I), ADA2/AB1/4, Bosmere and Claydon Guardians' Minute Book, 12 Aug. 1839.
[699] Digby, *Pauper Palaces,* p.187.

board and lodging, comparing well with an average of £28 *per annum* in local elementary schools.[700]

More convincing, is the argument that the conditions in which they lived and worked and the duties required of them were the main cause of frequent changes of personnel. Crowther states that schoolteachers were really full-time attendants, superintending the children constantly in most Unions. Though many Unions contented themselves with a general statement of duties, such as assisting the master in any required tasks in the workhouse, the Cosford Union set out a comprehensive list of duties for their schoolteachers which were recorded in the minutes of November 1839. As well as providing the statutory three hours academic education, schoolmasters were required to supervise the labours of boys outside school and encourage habits of industry and good behaviour, and attend to the state of the sleeping rooms and cleanliness of the boys. Duties stretched even further into a general responsibility for all paupers at mealtimes and during divine service. Schoolmistresses had similar responsibilities for the girls, in addition being required to bathe the small children, mend their clothes and act as general nurses.[701]

Any free time which the schoolteachers might have after fulfilling this lengthy list of duties was also controlled by the master in the rigidly hierarchical system of the workhouse. Such subservience of schoolmasters particularly, was often resented by them, particularly where they considered the master their intellectual inferior. For

[700] Wages are similar for Suffolk workhouse schools though only drop as low as £15 per annum where schoolmasters are paid a joint wage with their wives as schoolmistresses.
[701] SRO(B), DC1/1/3, Cosford Guardians' Minute Book, 18 Nov. 1839.

such men the lack of intellectual stimulus was clearly uninviting. The schoolmaster, Artiss, made a telling comment on the reason for his resignation from the Woodbridge Union in August 1853, stating it was due to 'the great confinement and want of society.' [702]

District Schools

A further project of Kay's which was to achieve even less success, though it was to become official poor law policy, was that of District Schools. Such schools Kay argued, would be cheaper and provide a better education, by allowing Unions to pool their resources and with greater numbers, provide specialist class teaching for different groups of children. Kay's ideas were based on the success of large scale establishments such as Lady Byron's and Aubin's at Norwood, sometimes holding up to a thousand children and allowing for specialised class teaching and the appointment of trained teachers. Such schools also had, in Kay's and Tuffnell's view, the advantage of separating the children from the 'contamination' of parents and other adults in the workhouse. These views were expressed strongly in the *Fourth Annual Report of the Poor Law Commissioners,* where it was stated that 'the atmosphere of the workhouse is tainted with vice.' 'No-one who regards the future happiness of the children would ever wish them to be educated within its precincts.' The same views were to be embodied in Kay's 1838 report *'On the Training of Pauper Children and on District Schools'* and were to remain central to poor law policy until 1874.

[702] SRO(I), ADA12/AB1/8, Woodbridge Guardians' Minute Book, 24 Aug. 1853.

Though Boards of Guardians, particularly in rural areas, generally opposed District Schools, in the Stow Union in Suffolk in 1839, the Reverend Copinger Hill put forward a resolution for discussion in favour of them. He stated that well-qualified teachers could not be permanently secured for workhouse schools at the usual rate of remuneration, but that the low numbers of children in the Stow Union did not warrant an increase in the current salary paid to teachers. The argument was very much in line with that of Kay and the Poor Law Commission for District Schools, which they believed would 'secure the religious, moral and industrial education of pauper children at a cost considerably lower than that of the present imperfect arrangements.'[703] However, Copinger was clearly a lone voice in the Stow Union because the following year the guardians were petitioning parliament against the formation of District Schools, largely on the grounds of increased costs. They argued that they had already 'at a considerable expense' formed a spacious school and workrooms with extensive playgrounds and apartments for teachers and that they were therefore capable of accommodating any number of children coming into the workhouse. In addition, their own school had maintained the industrial habits of children by employing boys in tailoring, shoemaking, plaiting straw and working in the garden. The girls were similarly employed in needlework and knitting stockings for inmates, as well as plaiting straw for bonnets. Orphans, they believed particularly benefited from being in their own Union. District schools therefore, they felt would prove a further, unnecessary expense.[704]

[703] SRO(I), ADA8/AB1/21, Stow Guardians' Minute Book, 20 Apr.1839.
[704] SRO(I), ADA8/AB1/21, Stow Guardians' Minute Book, 15 May, 1840.

Similar petitions against the establishment of District Schools were also sent to the Poor Law Commissioners from the Unions of Cosford and Newmarket presumably on the same grounds, though no details are given. [705] It is possible that Kay's miscalculations in the costs of setting up such schools had by this time been revealed. They were in any case, never going to be a practical proposition in rural counties with widely scattered populations. In Norfolk and Suffolk, to make the proposition economic, Kay had suggested that two schools should be built for between 400 and 500 pupils. Such a scheme however, proved impracticable with pupils required to travel impossibly long distances.

Added to these difficulties of establishing District Schools was the opposition of well-known reformers of the workhouse, like Louisa Twining, who were also instrumental in stirring up public opinion against them. She argued that the large numbers in the schools militated against individual treatment of pupils and contemptuously referred to them as 'barrack schools', a pejorative term that stuck. As an alternative she championed the 'family system' with children living in smaller disaggregated units.[706] Even more damaging to the future of District Schools was the opposition of Inspector Thomas Browne, who in the 1850's expressed a similar view to Twining, having been converted to the idea that the 'family principle was best for pauper children.' He argued that the large District Schools of Leeds and Liverpool were 'smothering the individuality of children and paralysing the moral influence of their teachers.'[707] Such a

[705] SRO(B), DC1/2/3, Cosford Guardians' Minute Book, 27 Apr.1840, SRO(B), 611/13, Newmarket Guardians' Minute Book, 12 May 1840.
[706] Felix Driver, *Power and Pauperism*, p.99-101.
[707] Driver, *Power and Pauperism,* p.100-101.

view opened up divisions between official poor law policy and those, like Browne, who should have been its proponents, making it ever more difficult to execute.

Ultimately, however the system failed because of lack of support from the guardians. Duke suggests that guardians used the same arguments that they had used against any education of pauper children in the workhouse; they maintained that the elaborate education of District Schools would make paupers dissatisfied with their position, and that the poorer ratepayers would be paying for a better education than their own children got. Other opponents argued that the principle of 'less eligibility' should be applied to pauper education in the same way as it was to all other aspects of poor law provision.[708] But as ever the final objection of the guardians that was to stop the development of District Schools, was the expense. Kay had miscalculated the cost involved, particularly for auxiliary staff, and guardians were in any case opposed to any further expenditure, having set up their own workhouse schools. Thus, although the creation of District Schools was to remain official poor law policy until 1874, Kay's influence could not prevail. Outside the Metropolitan areas, only six more district schools were built in the rest of the country and these were confined to the larger towns such as Liverpool and Leeds.

Successes and failures of workhouse schools

In spite of Kay's attempts to raise the quality of workhouse education, the view of the Newcastle Commission in 1861, was that workhouse schools were poor and generally

[708] Francis Duke, 'Pauper Education', in Derek Fraser (ed.) *The New Poor Law in the Nineteenth Century*, p.72.

inferior to elementary schools outside. Crowther has concurred with this view stating that 'the Poor Law schools seem never to have succeeded.'[709] However, Francis Duke has been in the forefront of those providing an opposing view. He maintains that 'out of a situation of chaos and neglect in 1834' the system of workhouse education had been 'transformed in 20 years.' He concludes that before 1870, poor law schools provided a better basic education than comparable day schools, though they taught a narrower range of subjects. In addition, the latter could not compete with the 'industrial training' provided in workhouse schools.[710]

Whilst other historians have been less fulsome in their general appraisal of the workhouse schools, most have focused on 'industrial training' as an element of success. It is clear that the 'industrial training' element was lacking in state elementary schools, so however limited this might have been in the workhouse school, the latter was considered superior in this respect. Sidney and Beatrice Webb state that where a move was made to send workhouse children to the local elementary school after 1861, it was at first objected to even by those who were enthusiastic for education, on the grounds that they did not provide the 'industrial training' of the workhouse school, nor did they teach the children to work. Moreover the Webbs claimed such schools were considered hopelessly inefficient.[711]

Anne Digby, in her local study of Norfolk also supports this view. Digby concluded that workhouse education in Norfolk compared well with that in elementary schools

[709] M.A. Crowther, *The Workhouse System 1834-1929,* (London, 1981), p.205.
[710] Duke, 'Pauper Education', p.86.
[711] Sidney and Beatrice Webb, *English Local Government, Vol. 8, English Poor Law History, Part II: The Last Hundred Years,* p. 269.

available to the independent labourer's child, suggesting that workhouse education reached its high watermark of superiority in the 1850s and 60s. Although much of this progress she attributes to Kay, she also sees the superiority of workhouse schools as being relative, little having been done to improve the state of village schools.[712] Crompton's study of Worcestershire Unions also supports this view suggesting like Digby, that some areas were completely without elementary school provision, so that merely by the fact of their existence, workhouse schools were superior. He also notes that school inspection after 1839, stated that even where they existed, elementary schools were often in a worse state than workhouse schools.[713]

However, such comparisons of the relative merits of workhouse schools and elementary schools say little for the absolute quality of either, and Duke's conclusions are supported by little local evidence. Digby is on surer ground drawing on her study of Norfolk. She takes a more nuanced approach, seeing some examples of good practice in the Guiltcross Union, but also a lack of untrained teachers and unattractive conditions which made it difficult to raise the standard of education in other Unions. In Suffolk too, though there are some examples of good practice such as that at Barham workhouse in the Bosmere and Claydon Union, they were relatively short-lived. Moreover, given the seemingly overwhelming obstacles to progress in the quality of workhouse education, it seems difficult to reconcile the situation in Suffolk with the more sanguine views of both Digby and Duke.

[712] Digby, *Pauper Palaces,* p.193-4.
[713] Crompton, *Workhouse Children,* p.148-50.

Good relations between the master, and the schoolmaster as the next layer of the hierarchy, were considered to be paramount in the smooth-running of the workhouse, and thus also the stability and consistency required for poor law policy on education to be carried out. Lack of common purpose between them however, often led to conflict. Such matters were often submitted to the poor law authorities for resolution, but the teachers were invariably the casualties of such referrals, the poor law authorities being keen to uphold the hierarchy of power. In the Ipswich Union in 1859, the schoolmaster Carilon initially brought complaints about the master to the Board of Guardians, on the grounds that his authority was being undermined. However, the schoolmaster was the one forced to resign the following month.[714] In the Cosford Union, in February 1838, though the complaint initially came from the master, the result was the same. The schoolmaster was forced to resign after failing to ask permission to leave the grounds, merely giving his intention of going, in writing.[715]

Conflict between master and schoolteachers also often arose over the issue of 'industrial training' as against schoolroom lessons. Crompton comments that, although it had been laid down by the Poor Law Commission that schooling should be for at least three hours a day, in many Unions this was not adhered to.[716] Many Unions saw household duties as constituting 'industrial training' and therefore masters felt free to withdraw pupils from the schoolroom for this purpose, creating continual disruption of classroom teaching. In 1848 the master in the Blean Union complained that the schoolmaster subverted his authority by objecting when boys were taken out

[714] SRO(I), DD1/28/2/10, Ipswich Guardians' Minute Book, Aug. and Sept. 1859.
[715] SRO(B), DC1/1/2, Cosford Guardians' Minute Book, 13 Mar. 1838.
[716] Crompton, *Workhouse Children,* p.159.

of classes for household duties, the former considering this more useful than academic learning.[717]

In Suffolk, it is also clear that at times schoolroom-learning, the province of the schoolteachers, was neglected in favour of more 'useful' pursuits. In May 1853, in the Wangford Union, the Vice Chairman reported that boys over ten were industrially employed during the day, and had only occasional instruction from the master and Superintendent of Labour in the evening. It is also clear that little had changed in terms of priorities by the following year, when School Inspector Bowyer announced that the older boys were not tested because of haymaking.[718] Similarly, in 1852, Bowyer reported that according to the schoolmistress, most of the permanent girl scholars were 'much out of school nursing, or doing other work on account of the small number of the women in the workhouse,' and that even when they were marked as attending it was often for no more than an hour under instruction.[719] In the Stow Union, the schoolmaster actively complained of the boys being taken out of the schoolroom in school hours when Bowyer was critical of standards reached. Even though Bowyer's main brief was education, he nevertheless appeared more concerned with the actual complaint disturbing the hierarchy of the workhouse, commenting that 'guardians will not consider such a course creditable to the character of the schoolmaster.'[720]

[717] Cited in Crowther, *The Workhouse System,* p.203-4.
[718] SRO(L), 36/AB1/68, Wangford Guardians' Minute Book, 18 May 1853 and 26 Jul.1854.
[719] SRO(L), 36/AB1/67, Wangford Guardians' Minute Book, 15 Dec. 1852.
[720] SRO(I), ADA8/CC3/1, Stow Union Visitors' Book, 31 May 1866.

Withdrawal of pupils from the schoolroom was however only one factor in the irregular attendance of pupils that must have stymied progress. Transient pupils were also a problem persisting throughout the period. These pupils were mainly children of able-bodied parents who were employed as agricultural workers during the summer but forced into the workhouse during the winter, a group thus known as the 'ins and outs.' They were estimated to make up about 40% of all school pupils, though in Ten bury Wells in Worcestershire in 1851 the number rose as high as 61%. Such a situation Crompton considers doubly unhelpful, giving the transients no continuity and disrupting the education of permanent pupils.[721] As late as 1861, the Newcastle Commission Report was still critical of the mixing of transient and permanent pupils stating it to be a 'fatal error,' because 'such children bring in with them evil enough to undo all the good that the teachers have been labouring to instil into their scholars.'[722] Certainly the reports of Bowyer in Suffolk demonstrate the difficulties of making any measure of progress, commenting frequently on the changes in the groups he tested. Between 1849 and 1852 his reports for Wangford are peppered with such comments; in November 1849 he states, first class of girls 'almost all left, the rest except one new,' in May 1850 'too few girls to judge', and in December 1852, 'girls school consisting entirely of newly admitted.'[723] Stow Visitors' Book also makes many references to the lack of progress because of the ever changing nature of the school population.[724]

[721] Crompton, *Workhouse Children,* p.150.
[722] Newcastle Royal Commission 1861, PP (2794-1) XXI, Vol.1, Part 1. P.355. cited in Compton, *Workhouse Children,* p.150.
[723] SRO(L), 36/AB1/65 and 66, Wangford Guardians' Minute Books.
[724] SRO(I), ADA8/CC3/1, Stow Union Visitor's Book.

Even in the area of education usually considered the most successful, 'industrial training', the nature and quality of what was taught must be questioned. Duke states that this underwent considerable improvement in the 1850's, with the provision of domestic jobs for girls and the working of land around the workhouse to teach the skill of spade husbandry to the boys.[725] There is some support for such a view in Suffolk Unions where the mantle of Kay's original ideas were taken up as poor law policy and promoted by its Assistant Commissioner and later education inspector, H.G. Bowyer. Initially, the provision of industrial training looked promising. As early as 1838, Bosmere and Claydon guardians stated that the pasture ground round the workhouse 'be taken into spade husbandry' by the boys.[726] By 1853, provision had also been made for the girls. In urging the guardians of Samford Union to buy cows for the training of girls as dairy maids and the school inspector pointed to similar successful ventures in both the Bosmere and Claydon Unions and the Plomesgate Union.[727] However, although other Unions were to make similar commitments, there often appears to be tardiness in implementation. In 1848 it is clear that no such system existed in the Newmarket Union, since school inspector Bowyer was advising the setting aside of some land for the training of boys as agricultural labourers. It took a further two years however to accept the principle and another eight years to actually rent a piece of land to provide industrial employment. Even so, by February 1870, the

[725] Duke, *Pauper Education,* p.86
[726] SRO(I), ADA2/AB1/4, Bosmere and Claydon Guardians' Minute Book, 22 May 1838.
[727] SRO(I), ADA7/AB1/11, Samford Guardians' Minute Book, 30 Jan. 1853.

Poor Law Board was still recommending that 'more attention should be paid to the industrial training of children.'[728]

Initially, the Wangford Union also seemed to place a strong emphasis on 'industrial training' compared with classroom teaching, since initial advertisements for schoolteachers very much focused on the ability to provide pupils with a practical skill, classroom teaching being added almost as an afterthought; in November 1837, the Union advertised for a couple to teach and train the children, the husband to instruct in tailoring or shoemaking and 'assist in the intellectual part of education.'[729] Some plans also seem to have gone ahead for training boys as agricultural labourers, with some land being made available and the ordering of tools. However, a request by Bowyer for the number of boys involved in cultivating land belonging to the workhouse, elicited the reply of none for the year 1853. A committee set up in 1860, to look at the system of unsatisfactory industrial training, suggests that little had improved by that date.[730]It seems clear therefore, that though 'industrial training', as a unique feature of workhouse education had some success, this was at best patchy and lacking in continuity in many workhouses. Though many guardians appeared to pay lip service to the idea, when it came to spending money or adopting what they considered a subservient position to the requirements of central authority, they were less ready to conform.

[728] SRO(B), 611/27, Newmarket Guardians' Minute Book, 22 Feb. 1870
[729] SRO(L), 36/AB1/58, Wangford Guardians' Minute Book, 1 Nov. 1837.
[730] SRO(L), 36/AB1/68 and 71,, Wangford Guardians' Minute Books, 5 Apr. 1854 and 16 May 1860.

If guardians were slow to provide facilities for 'industrial 'training,' this was even more true for classroom education, their attitudes to education in general and the teaching of writing in particular having been noted. Although teaching of the 3Rs had been stipulated in the general orders, no mechanism for their teaching was laid down. Given the central involvement of the chaplain in education, and contemporary views on moral teaching, it is unsurprising to find religious texts such as the bible and Book of Common Prayer as common purchases in workhouse schools, as the vehicle for teaching. Indeed Kay was to recommend such texts. However, he also had the vision of a wider curriculum and of teaching the three R's through 'geography, natural history and the arts, especially those connected with agriculture and manufacturing.' In addition he also recommended singing, which had been introduced in the schools of the Glasgow Educational Society, as 'a branch of instruction with signal advantage' as well as playground and gymnastic exercises.[731]

Few Unions however appear to have followed such a regime, the Webbs suggesting that workhouse schools had few books or other educational equipment, though the source of their claim to such knowledge is unclear.[732]Digby's study of Norfolk however does provide one example of practice in line with poor law guidance, perhaps influenced by the direct involvement of Kay as Assistant Poor Law Commissioner. At the Guiltcross Union, in the late 1830's, pupils were taught for four hours a day (one hour more than stipulated by general orders) and during that time the master and matron were forbidden to withdraw them for domestic tasks, a common cause, as

[731] Appendix B to The Fourth Annual Report of the Poor law Commission.
[732] Webbs, *English Poor Law History,* p.257-8.

shown, of disrupted schooling. Pupils were provided not just with religious texts, but with the Irish National Lesson books, amongst the best available, as well as maps for geography. Swings and gymnastic equipment were also provided for the school yard.[733]

However the overall picture was much more varied and Digby concedes that in 1847, less than a quarter of Norfolk's workhouses had adequate supplies of secular books and maps, or adequate instruction.[734]The same appears to be true for Worcestershire, where Crompton claims that the educational diet offered was severely limited, often confined to prayer books and other religious tracts.[735] Kay was to report similarly to the Committee of Council on Education in 1847, that workhouse schools 'are wretchedly supplied with books and apparatus.'[736]

In Suffolk, guardians seemed ready to provide religious texts, though some were more reluctant to provide secular materials; in Bosmere and Claydon bibles and prayer books were bought three times in the first seven years,[737]whilst in Newmarket, the chaplain was required to draw up a list of books for the religious education of the children.[738] A more secular approach was adopted in the Woodbridge Union, probably at the behest of a more enlightened chairman of the guardians, Robert Newton Shawe, a former MP, with the purchase of not just 24 testaments and prayer books but also 24

[733] Digby, *Pauper Palaces,* p.185.
[734] 'Minutes', PP 1849 XLII, 396-403 cited in Digby, *Pauper Palaces,* p.193.
[735] Crompton, *Workhouse Children,* p.153.
[736] Minutes of the Committee of Council on Education. PP 1849
[737] SRO(I), ADA2/AB1/2, 3, and 7, Bosmere and Claydon Guardians' Minute Books, 12 Apr. 1836, 5 Sept. 1837 and 27 Sept. 1844.
[738] SRO(B), 611/13, Newmarket Guardians' Minute Book, 8 Dec. 1840.

National School Books and slates.[739] This relatively liberal regime was to continue, with the purchase of 'bats and other playthings for the boys' school' and a curriculum in 1850 which included arithmetic, reading and writing, religious education and geography.[740] Unusually, education in the Woodbridge Union was to gain continuously good reports from inspector Bowyer during the 1860's, though the girls were considered less good than the boys.

In general however, guardians seemed little prepared to follow the procedures recommended by Kay or the inspectors. The introduction of singing was categorically rejected in the conservative Cosford Union, although it had been supported by two *ex officio* guardians, Archdeacon Lyall and Charles Dawson. The schoolmaster had submitted to the Board of Guardians a book of songs sanctioned by the poor law authorities, but these were rejected on the grounds that 'the teaching of music cannot be conveniently introduced into the workhouse school.' They claimed that some of the songs had 'a revolutionary tendency, which is not at all approved by the members of the Board.'[741] The penny-pinching Newmarket Union also rejected music as part of the curriculum; in 1869 the chaplain suggested the purchase of a harmonium so that singing could be taught, but it was unanimously resolved by the Board that 'the proposed outlay was not requisite.'[742]

[739] SRO(I), ADA12/AB1/3, Woodbridge Guardians' Minute Book, 17 Dec. 1838 and 1 Apr. 1839
[740] SRO(I), ADA12/AB1/6 and 7, Woodbridge Guardians' Minute Books, 19 Aug. 1846 and 13 Nov.1850.
[741] SRO(B), DC1/2/3, Cosford Guardians' Minute Book, 29 Jul. 1839..
[742] SRO(B), 611/26, Newmarket Guardians' Minute Book. 27 Apr.1869.

Conclusion

The maintenance of local autonomy against the dictates of central authority was a marked feature of the development of most aspects of poor law policy, and education was to be no exception. The Newmarket Union, as the most belligerent in Suffolk, often showed its opposition to central interference in other spheres and now also strongly resisted attempts to bring about improvements in educational standards. A letter from the Poor Law Commission in March 1847, stating that they had been informed that 'instruction in the workhouse was of the most commonplace kind' and recommended the appointment of a more efficient schoolmaster and schoolmistress. This proposal however, was summarily dismissed with the reply that, the education given was sufficient because the children left at an early age, and teaching was efficient within this range. A further attempt by Bowyer to improve teaching by recommending the use of maps was similarly rejected, the board's education committee having resolved that 'instruction which the children now receive is sufficient' and that 'the use of maps is un-necessary.'[743]

Other Unions, though apparently more ready to follow Kay's policies in earlier years seem to have become less so in later years; the Unions of Stow and Wangford both showed themselves ready to follow the best central recommendations in purchasing the Irish National School Books as well as geography books and maps.[744] However, by 1847, Bowyer was again stating the need for secular books and maps suggesting

[743] SRO(B), 611/17 and 18, Newmarket Guardians' Minute Books, 30 Mar. 1847 and 21 Dec.1847.
[744] SRO(L), 36/AB1/59, Wangford Guardians' Minute Book, 30 Jan. and 28 Aug. 1839 and SRO(I), ADA8/AB1/21, Stow Guardians' Minute Book, 24 Apr.1840.

perhaps that earlier ones had fallen into disuse.[745] Certainly this was the case in 1853 when the chairman reported in the visitor's book in the Wangford Union that 'the Irish books had been given up and only the bible and prayer book read.'[746]

In the face of such evidence, it seems difficult to support the case for anything like the 'transformed' nature of workhouse education maintained by Duke.[747] Though there were undoubtedly some successful examples of 'industrial training', these were often patchy and short-lived, especially where they required some financial outlay by the guardians. Successful classroom teaching seems even less likely, given the poor quality of teachers, even after Kay's reforms, rapid turnover of staff and its possible causes. Chief amongst these are likely to have been the uncongenial conditions in which they worked, in their wide range of duties, lack of freedoms and often poor working relations with the master of the workhouse. In an attempt to improve this situation and attract a better quality of teachers, Kay had made a plea in 1838 that 'their (the schoolteachers') whole time and attention should be devoted to the school' and that they should be provided with 'a separate apartment and rations similar to the master.'[748] However, such a plea obviously went unheeded, since in 1846 it was necessary for Kay to reiterate the view that 'teachers should not be asked to perform menial tasks' and should have 'apartments and rations similar to the master.'[749]There is little evidence however that such recommendations were carried out even then and

[745]SRO(I), ADA8/AB1/25, Stow Guardians' Minute Book 20 Nov. 1847 and SRO(L), 36/AB1/64, Wangford Guardians' Minute Book ,1 Dec. 1847.
[746] SRO(L), 36/AB1/67, Wangford Guardians' Minute Book, 5 Jan. 1853.
[747] Duke, 'Pauper Education,' in Fraser (ed.), *The New Poor Law in the Nineteenth Century,* p.86.
[748] Appendix B to the Fourth Annual Report of the Poor Law Commission 1838.
[749] Palliser, 'Workhouse Education in County Durham 1834-70,' p.280

workhouse schools continued to be bedevilled by a large turnover of staff. Poor relations between master and schoolteachers were also a factor in high staff turnover, often contributing to resignations of the latter; these often arose from the rigidly hierarchical system within the workhouse which gave the master control of every aspect of the schoolteachers' lives, both personal and professional. Thus, the master could and did restrict the movement of teachers outside the workhouse, and undermine their professional duties within it, by removing pupils at will from the classroom to carry out household duties in the guise of 'industrial training.'

Such a high turnover of staff, coupled with the equally high turnover of pupils, the 'ins and outs' could not but have created instability, a situation scarcely conducive to successful learning. Even with a broad curriculum, it seems unlikely that pupils could have received anything more than a basic and /or a sporadic education. The expectations of guardians were in any case low. Given that they themselves and their children had often little more than a rudimentary education, they were keen to maintain a social distinction between themselves and the inmates of the workhouse, hence their early opposition to the teaching of writing. In general, they supported only a narrow curriculum as one which served to do no more than prepare workhouse inmates for their station in life.

The low level of education achieved in the workhouses might suggest only very limited influence and achievements of Kay, and even those he is credited with such as the enhanced role of the chaplain, industrial training, and encouragement of the training of teachers had their downsides. Although the greater involvement of the chaplain

sometimes gave a kick start to educational developments in the workhouse, as well as theoretically establishing the principle of inspection, chaplains were often lax in their duties. In addition, their focus on religious texts could lead to the exclusion of the wider curriculum favoured by Kay. Industrial training too, championed by Kay and held up as a unique and successful feature of the educational system in the workhouse by Digby and Crompton, appears nevertheless to have been only partially successful in Suffolk, and a positive hindrance at times to the advance of book-learning.

Throughout his career, Kay had devoted himself to improving the quality and status of teachers. Initially he had had some success in persuading guardians in East Anglia to employ teachers trained in the superior Scottish system, but ultimately they were unprepared to endure the vicissitudes of the workhouse system. Later, as Secretary of the Commission for Council on Education, his attempts to train teachers in colleges he created, first at Battersea and then at Kneller Hall, proved similarly limited in their results, the superiority of their training proving counter-productive, in making teachers even less ready to suffer the wide demands and restricted conditions of workhouse employment.

The greatest failure of Kay's however must be seen in his inability to gain the establishment of District Schools on anything like a comprehensive basis. True, he had some influence and success in persuading central poor law authorities to adopt District Schools as official policy, but this was only ever translated into practice in the larger towns, and rural counties such as Suffolk were totally opposed to them. Ultimately it was the system that Kay had helped create that limited his influence; given the

tensions between central and local government, the latter was usually allowed the final say. Low spending and local autonomy became the twin tests for any developments in poor law policy for the guardians, and the District Schools failed on both these counts. Though Kay had certainly been a great influence in developing poor law education policy, both as an Assistant Commissioner and Secretary for Council on Education, he was less successful in procuring its implementation. There had been some earlier successes in Suffolk, where through personal influence he was able to persuade local guardians to adopt such policies as industrial training, and learn from the Scottish schools, such processes often appear to have been short-lived. Ultimately, this lay in the hands of the guardians and the workhouse system as a whole, both of which provided less than whole-hearted support for education in the workhouse. At best therefore, achievements were patchy and lacking in continuity.

Chapter 8

Conclusion

This study has been instructive, in showing both how Suffolk supports and differs from the ways in which policies were followed in other counties. From the very beginning of the period studied, I have shown the individuality of the county by examining its rare structure of the numerous Houses of Industry before 1834, a quality shared by only four other areas, (Norfolk, Shropshire, North Wales and the Isle of Wight,)and even then, in nothing like the numbers that existed in Suffolk.[750] Such a structure, I have shown to be vital to the drawing up of boundaries for the new Union workhouses, required by the 1834 Poor Law Amendment Act. I have also shown, perhaps

[750] J. M. Shaw, *The development of the Poor Law local acts 1696-1833, with particular reference to the Incorporated Hundreds of East Anglia.* (UEA, 1989) Unpublished PhD thesis.

surprisingly, how some Unions remained outside the New Poor Law, in the case of Mutford and Lothingland and Bury St. Edmunds for almost 50 years, whilst at the same time largely maintaining good relations with central poor law authorities.

I have demonstrated how far Suffolk was from being a rural backwater, as might have been expected, but contained a vitality of action amongst controlling authorities and paupers alike. Thus I have argued for guardians pursuing their own financial interests, often clashing with central poor authorities, whilst paupers adopted numerous strategies, such as the language of deference, to 'negotiate' better treatment. In addition I have shown that the spirit of rebellion demonstrated in 1816, 1822 and 1830, was kept alive in some Suffolk workhouses with outbreaks of riot here too, from able-bodied paupers. Above all, I have shown the ability of one man, Dr. Kay, to have a profound influence on the direction which poor law policies took in Suffolk.

Dr. James Kay (later Kay-Shuttleworth) was Assistant Poor Law Commissioner for both Norfolk and Suffolk from 1835-8 and appears to have made his presence felt in both areas. Along with Chadwick, Roberts describes Kay as one of 'a new type of administrator,' who 'voiced in unequivocal words the need for social and administrative reforms.'[751] Though more personable than Chadwick, Kay nevertheless attracted criticism; Matthew Arnold was to say of him that he 'did not attract by person and manner; his temper was not smooth or genial, and he left on many persons the impressions of a man managing and designing.'[752]However, he is also described by Roberts as 'a Victorian liberal, advanced in his opinions, enlightened in his views, yet

[751] Roberts, *Victorian Origins of the British Welfare State,* p.148.
[752]Adkins, *St Johns,* p.19 cited in Roberts, *Victorian Origins of the British Welfare State,* p.149.

prudent and orthodox.'[753]Anne Digby shares this positive image of Kay, in his rapid achievement of conformity to the new law of most of the incorporated unions of Norfolk. She states of him that 'he possessed the necessary drive, eloquence and political ability to implement the New Poor Law in the county, with a surprising facility and speed between 1836 and 1838.'[754]His strength as an administrator, she believed, was because he 'tempered support for the principles of the New Poor Law with a finely calculated pragmatism.'[755] He saw little point, she continues, in 'un-necessarily arousing political hostility' to the New Poor Law by attempting to force the dissolution of local Incorporations, that were opposed to it. He preferred to concede the appearance of independence, since such Unions were in effect carrying out the requirements of the New Poor Law, and had thus conformed in all but name.[756]

The same approach has also been demonstrated in Suffolk, where Kay was instrumental in persuading local landowners to accept that most of the boundaries of the new Unions conformed to those of the incorporated ones, rather than being in the interests of local landowners, as Brundage claimed for Northamptonshire. The same pragmatism and flexibility as shown in Norfolk, was also demonstrated in Suffolk in accepting that the three Incorporations of Samford, Mutford and Lothington, and Bury St. Edmunds would remain outside the new law.

Although the successful drawing of boundaries for most of the Unions in Norfolk and Suffolk can be attributed to the skill and hard work of Dr. Kay, his power and influence

[753] Roberts, *Victorian Origins of the British Welfare State,* p.149.
[754] Digby, *Pauper Palaces,* p.77.
[755] *Ibid.* p.77.
[756] *Ibid.* p.59-60.

was also to be found in other aspects of poor law policy, in terms of employment, medicine and education. For the first of these, Kay was responsible for setting up a migration scheme, complementary to the Poor Law Commission's emigration scheme. The scheme was designed to send unemployed labourers from rural southern counties, where there was an excess of labour, to the industrial north where they were short of labour. Probably due to Dr. Kay's presence in East Anglia, by far the largest number of labourers were to come from this region, those from Suffolk forming almost a quarter of the total of 4,323.[757]

Kay's interest in medical affairs stemmed from his training and experiences as a medical doctor, first in Edinburgh and then in Manchester. It was in Edinburgh that Frank Smith, his biographer, claims that he came to realise the 'direction he must take' to seek a solution in dealing 'with the problem of the destitute poor, the suffering, the ignorant and the despairing.'[758] He went on to record his activities in the treatment of patients in the cholera epidemic of 1832 in Manchester , in a famous pamphlet entitled *The Moral and Physical Conditions of the Working Classes employed in the Cotton Manufacture in Manchester.* Such experiences clearly prepared him for his work as Assistant Commissioner for workhouses, Digby claiming that it was the presence of Kay in Norfolk, which helped it avoid the worst of the abuses practised in

[757] Digby, *Pauper Palaces* p. 102 states that these figures are probably considerably underestimated since the scheme occurred when administrative procedures were only just coming into existence.
[758] Frank Smith, *The Life and Works of Sir James Kay-Shuttleworth* (London, 1923), p.12.

the employment of Doctors (see Chapter 6).[759] She provides little evidence for this claim however and similarly there is little supporting evidence to be found in the guardian minute books of Suffolk. It would seem that even the conscientious Kay felt that this would be spreading his interests too thinly. In his manuscript of 1877, he states that 'after I found myself likely to be absorbed in the efforts of the government to establish a system of national education, I recommended Mr. Edwin Chadwick to undertake the prosecution of (the) investigation into town drainage and water supply, and other connected questions of sanitary improvement.'[760]Nevertheless, Chadwick's *Report on the Sanitary Condition of the Labouring Population* of 1842 was to incorporate surveys already carried out by Kay along with Drs. Arnott and Southwood Smith.

It was in education however, that Kay really made his presence felt, initially in the counties of Norfolk and Suffolk in the workhouses, but ultimately outside of them and nationwide from 1839 - 1849, as the Secretary to the Committee of Council on Education. Kay had a strong belief in the benefits of education, particularly of pauper children; he believed that in order to rescue them from the continuing depredation of pauperism they needed rather more than less education than the children of the poor outside the workhouses. It is to Kay's credit that he continued to promote these ideas against the prevailing view of less eligibility and against the vested interests of the largely farmer guardians in seeking a superior education for their own children. The views and recommended practices in education of both Kay and Tuffnell (also an

[759] Digby, *Pauper Palaces,* p.166.
[760] The 1877 Manuscript, an autobiographical document written by Kay in the later years of his life, cited in Smith, *The Life and Works of Sir James Kay-Shuttleworth,* p33-4.

Assistant Commissioner), were set out in the *Fourth Annual Report to the Poor Law Commission 1838,* and were in effect to become poor law policy. Ipswich Board of Guardians in Suffolk had been given early notice of these policies by Kay, which were considered sufficiently important to be copied out in full in the guardians' minute book, and some, at least of these policies, they attempted to follow (see Chapter 7).[761] Thus in Ipswich and other workhouses in Suffolk he was responsible for promoting the idea of industrial training based on the practice of Lady Byron's, a school he had visited in London. He also promoted higher standards of teaching through encouraging chaplains to take a fuller part in the process, as well as persuading guardians to employ good quality and well-paid teachers from the superior schools he had seen in Scotland, as well as employing the pupil teacher system first introduced in Norfolk. His later promotion of teacher training colleges at Battersea and Kneller Hall, the former financed by himself and Tuffnell, also indicate his commitment to this cause. Though Kay was not to achieve all of his aims – very few district schools were ever built and his training colleges for workhouse teachers did not prove effective – he did achieve much, particularly in Norfolk and Suffolk, justly earning therefore the plaudits of both Anne Digby and Frank Crompton.[762]

A key theme to emerge from this study of the New Poor Law in Suffolk has been one of conflict, largely that between the local authority of the Board of Guardians and the central authority of the Poor Law Commission, (from 1847 the Poor Law Board), but also between inmates of the workhouse, and the personnel that administered it. Such

[761] SRO(I), DD1/28/2/2 Ipswich Guardians' Minute Book, 9 Oct. 1837.
[762] Digby, *Pauper Palaces,* p. 180. Crompton, *Workhouse Children,* p.192.

conflict very much reflected that in the rest of the country. Control of the poor law had lain within the aegis of local parishes since Elizabethan times. For many, the New Poor Law administration, through its creation of the central Poor Law Commission, was considered an encroachment on local power. Leading newspapers such as *The Times, Standard* and *Morning Herald,* which spear-headed the anti- poor law movement, were quick to focus on this view. They argued against this 'innovation' of central control, which they regarded as 'unconstitutional' and 'un-English.'[763] In Suffolk, three of the Unions created earlier by local acts, (Samford, Mutford and Lothington, and Bury St Edmunds) refused to conform to the new law, but only in Bury St. Edmunds does this appear to have been on the basis of opposing central interference against long established local rights. Here, resistance occurred right up until 1880 with local government maintaining control as 'an ancient and established body.'[764]

Because of the sensitivity of the issue of creating a tier of central government in an area which had hitherto been the preserve of local government, various limitations were put on the power of the former. As a sop to local power, a vote of two thirds of existing directors and guardians of Unions set up under local acts was required to enforce the new law. In addition, central authority was not established as a government department, but merely left as a Commission of three, a secretary and fifteen regional representatives as Assistant Commissioners. Without being part of a government department and with such few numbers to administer and inspect the workhouses, the role of central government was severely limited. Though the central

[763] David Roberts, *Victorian Origins of the British Welfare State* (New Haven, 1960) p.41.
[764] *Bury and Norwich Post,* 1 Apr. 1837.

authorities had the right to issue orders and regulations to the guardians, they had very little power to enforce them. Their ultimate power lay in their ability to issue a writ of mandamus, enforcing the matter at stake on recalcitrant Unions. However, as shown, this process had been known to backfire; in the Union of St. Pancras, established under a local law, the directors had referred the action of the Commissioners, who had issued a writ of mandamus to enforce the new act upon them, to the Court of King's Bench and had won their case. The Court ruled that the Poor Law Commissioners had no authority to impose a body of guardians on any district in which a suitable body was already established under a local act.[765]This significantly weakened the hand of central government.

The failure of the Poor Law Commission/Board to exploit even these limited powers effectively, probably explains their reluctance to use them more widely. Only on one occasion was a writ of mandamus used, or at least threatened, during the period 1834-70 in Suffolk; the issue was a financial one, with the Newmarket Union seeking the assent of the Poor Law Board to reduce the wages of its personnel. It was raised as early as 1846, but reached a head in 1850. After much correspondence between the guardians and Poor Law Board, with the latter failing to grant the decrease in wages required, it eventually stated that it had no alternative but to 'apply to the Court of Queen's Bench for a mandamus to compel obedience to the Order' i.e. that of paying personnel in full.[766] It took a further three months for the Newmarket guardians to

[765] Green, *Pauper Capital,* p.104-5.
[766] SRO(B), 611/18 and 19, Newmarket Guardians' Minute books 1850.

conform, but it is unclear from the sources whether the mandamus was ever carried out.

In addition to the constitutional conflict between central and local government, the opportunity for conflict between central authority and local Boards of Guardians was also provided by the nature of the Poor Law Amendment Act. To a large extent, the act provided few details on how many of its policies would work out in practice, particularly that of medical provision, a process not made any easier by the mutual lack of respect which has been shown to exist between the medical officers and other workhouse personnel. This lack of definition gave greater flexibility to the guardians to develop policies as they saw fit, often delaying or even preventing them. Ample testimony has been given from the Board of Guardians minute books to the numerous conflicts which occurred between them and the Poor Law Commission/Board.

Many of these conflicts occurred over the issue of expenditure. Thus, as has been shown, they opposed issues of capital expenditure on workhouses, be it for expansion of living space to accommodate larger numbers, or provision of infirmary wards to treat the sick more effectively. They opposed expenditure on books and other educational equipment, gave food contracts to the lowest bidders who were often unable to fulfil the terms of their contracts, withheld the medical provision of 'extras' and in general, attempted to keep wages of their personnel down.

Given that the New Poor Law had largely come about due to the ever- increasing nature of poor law rates, it would seem unsurprising that guardians wanted to keep costs down. They were determined to protect the interests of the ratepayers, who

they represented, by spending as little money as was consistent with the requirements of 'less eligibility.'

Even where some sort of policy had been laid down in the Commissioners' Report or the Poor Law Amendment Act however, it is hard to escape the view that these were not working as intended. Although six dietary sheets were set out by the Poor Law Commission, to account for local variations in diet, complaints about the quality were frequent and occasionally spilled over into riot during winter time when there were many more able-bodied men in the workhouse. Disagreements again arose between central and local authorities over the use of food as punishment and reward, particularly the latter. The guardians of Ipswich tended to use food as a reward for carrying out specific tasks, which avoided the necessity of employing someone from outside the workhouse at a higher rate. The Poor Law Commission and Board consistently opposed this practice and spent a number of years trying to eradicate it.

The guardians also appear to have failed in their task of consistently providing suitable work for their inmates.[767] The ambivalent approach of the Commission was perhaps partly responsible for this. The lofty aims for the purpose of work set out in the Commissioners report of 1834, to not make work a punishment, were reversed by the *Second Annual report of the Poor Law Commission* of 1836. This now stated that work was to be of 'a laborious and undesirable nature.' The problem arose for the guardians of providing labour; corn mills often broke down or had insufficient able-bodied inmates to work them. Stones for breaking or oakum for unpicking were often

[767] See Chapter 5.

unavailable or at prohibitive costs. Thus, the idea of inculcating discipline through work appears unlikely to have been achieved, with large numbers often remaining idle.

Finally, conflict also occurred between the inmates of the workhouses and its personnel, including the guardians. Here, I have taken the view of David Green and others, that the acting out of such conflict can be taken as negotiation by the paupers to improve their lot. Thus evidence has been shown of how they enlisted the support of magistrates and chaplains, wrote letters to the central authorities complaining of their treatment, or engaged the support of literate individuals within the workhouse to do it for them; they might also indulge in violence by breaking windows or rioting. Whilst such actions invariably brought punishments, this did not preclude a closer look at the issues of complaint, since it was in no-one's interest to have a disorderly house.

Ultimately, this work has opened up the Suffolk archives for more general usage, contributing one more piece to the workhouse jigsaw. Though it has produced no startling events such as that of Andover, it has confirmed the reasons why such an event might take place. It also bears out the reasons why the central authorities were unable to build the uniform structure they had hoped for. In examining the contribution of Dr. James Kay, though he was not successful in all of his aims, the ability of a determined and conscientious individual to influence the system, has been demonstrated. However, this study has covered only the period from the 1834 Poor Law Amendment Act to the creation of the Local Government Board in 1871. Much work still remains to be done.

(79,839 words)

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